

# JOURNAL OF THE FLORIDA SENATE

Tuesday, May 28, 1974

The Senate was called to order by the President Pro Tempore for the purpose of conducting the order of business of introduction and reference of resolutions, memorials, bills and joint resolutions pursuant to Rule 4.3.

## INTRODUCTION

The following measures were read the first time by title and referred to committee(s) as indicated:

By Senators Weber, Stolzenburg and Lane (31st)—

SB 1114—A bill to be entitled An act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 5 (8) to provide that the authority may utilize the comptroller of Broward County, Florida to be custodian of the funds of Broward County transportation authority.

Evidence of notice and publication was established by the Senate as to SB 1114.

—to Rules and Calendar.

By Senators Stolzenburg, Weber, Zinkil and Lane (31st)—

SB 1115—A bill to be entitled An act relating to Broward County; relating to tax assessments and providing a method of millage; providing that governing bodies of counties, municipalities and other taxing districts shall decrease the millage required of such county or district in proportion to the increase of the general level of assessed valuation of property; authorizing a ten (10) percent increase in millage; providing for further millage increases in emergencies subject to limitations and review by the county budget commission; providing for verification of budgets and millage increases; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1115.

—to Rules and Calendar.

By Senators Weber, Stolzenburg and Lane (31st)—

SB 1116—A bill to be entitled An act relating to Broward County, amending Chapter 72-407, Laws of Florida, General Acts of 1972 (Section 28.12(a), Florida Statutes) which created the county comptroller for Broward County, to provide for the comptroller to be the custodian of funds of the Broward County transportation authority; and to provide an effective date.

Evidence of notice and publication was established by the Senate as to SB 1116.

—to Rules and Calendar.

By Senators Johnston and Childers—

SB 1117—A bill to be entitled An act relating to Escambia, Santa Rosa, Okaloosa and Walton counties; providing a straw vote referendum on the question of ratification of the United States constitutional amendment on equal rights for both sexes; providing an effective date.

Evidence of notice and publication was established by the Senate as to SB 1117.

—to Rules and Calendar.

By Senator Henderson—

SCR 1119—A Concurrent Resolution In Memoriam William A. Washburne, Jr.

—to calendar.

The Senate was called to order by the President Pro Tempore at 9:00 a.m. A quorum present—40:

Mr. President	Gordon	Myers	Stolzenburg
Barron	Graham	Peterson	Sykes
Brantley	Gruber	Pettigrew	Trask
Childers	Henderson	Plante	Vogt
Deeb	Johnson	Poston	Ware
de la Parte	Johnston	Saunders	Weber
Firestone	Lane (31st)	Sayler	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil

Prayer by the Rev. William A. Kerr, St. Thomas More Center, Florida State University, who was presented to the Senate by the Senate Chaplain:

Heavenly Father: As we meet to deliberate those measures that will best serve the people of Florida, help us to be aware, however painfully, that Americans generally are losing faith in the institutions of their government. Let this awareness cause us, not to despair, but to serve more faithfully and with even greater enthusiasm. These are critical times in the history of the United States of America; and in a very real sense the future depends upon those priorities adopted and implemented by the men and women invested with the public trust of government.

Knowing our human limitations, Lord, we humbly pray for the wisdom and the courage to do what we believe is right, and to spend ourselves in the interests of that public trust which we hold. We pray that the society which this legislature will help to create might not be described by later generations as one advanced in technology but retarded in terms of human values.

This morning we pray for all the people whom we are committed to serve. May our efforts contribute to the building of a society in which all persons will have ample opportunities to live meaningful human existences.

These prayers we bring to you, Father, humbly but confidently. Amen.

## REPORTS OF COMMITTEES

The Committee on Rules and Calendar recommends that the following bills be placed on Special Order for Tuesday, May 28, 1974, at 9:00 a.m.:

HB 2922	SB 403	HB 1837	HB 1814
SB 353	SB 519	SB 1120	SB 931
SB 1020	CS for CS for	HB 3499	SB 466
SB 529	HB 3096	SJR 819	HB 3754
HB 3573	SB 889	HB 1936	CS for SB 739
CS for HB 312	SB 880	HB 4005	SB 281
HB 580	SB 633	HB 2346	SB 709
HB 2099	SB 877	SB 263	SB 1043
HB 1911	HB 3777	HB 3359	

Respectfully submitted,  
Dempsey J. Barron, Chairman

The Committee on Governmental Operations recommends the following pass: CS for HB 2884 with 2 amendments

The bill was referred to the Committee on Ways and Means under the original reference.

## EXECUTIVE BUSINESS

By direction of the President Pro Tempore, the following reports were read:

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol

May 27, 1974

Dear Mr. President:

Your Standing Committee on Natural Resources and Conservation to whom was referred for inquiry and recommenda-

tion the following appointment subject to confirmation by the Senate:

NAME	OFFICE	FOR TERM ENDING
Thomas J. Shave III Fernandina Beach	Member, St. Johns River Water Management District	July 1, 1977

—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointment made by the Governor.

Respectfully submitted, W. D. CHILDERS, Chairman	LEW BRANTLEY, Vice Chairman
RICHARD J. DEEB	TOM GALLAN
WARREN S. HENDERSON	JULIAN B. LANE
HENRY SAYLER	JOHN W. VOGT
SHERMAN S. WINN	WILLIAM G. ZINKIL, SR.

On motion by Senator Brantley, the report of the Committee was adopted, and the Senate in open session approved and confirmed the appointment set forth in the foregoing report. The vote was:

Yeas—32

Mr. President	Gordon	Peterson	Trask
Barron	Graham	Poston	Vogt
Brantley	Gruber	Sayler	Ware
Childers	Henderson	Scarborough	Weber
de la Parte	Johnson	Sims	Williams
Firestone	Lane (23rd)	Smathers	Wilson
Gillespie	Lewis	Stolzenburg	Winn
Glisson	McClain	Sykes	Zinkil

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

Senator Mallory E. Horne  
President, The Florida Senate  
The Capitol  
May 14, 1974

Dear Mr. President:

Your standing Committee on Education to whom were referred for inquiry and recommendation the following appointments subject to confirmation by the Senate:

Members, Board of Trustees of the following: For Term Ending

Florida School for the Deaf and the Blind:

Grace C. Park, Winter Park	July 25, 1977
Richard Tugg, Miami	July 19, 1977

Brevard Community College:

Ralph M. Williams, Jr., Merritt Island	May 31, 1977
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Broward Community College:

George Mayer, Fort Lauderdale	May 31, 1977
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Central Florida Community College:

Herbert S. Coleman, Ocala	May 31, 1977
Tom Knotts, Yankeetown	May 31, 1977
Betty F. Williams, Crystal River	May 31, 1977
Marjorie R. Renfroe, Ocala	May 31, 1974

Chipola Junior College:

Orren R. Smith, Bonifay	May 31, 1977
Wilmer L. Williams, Graceville	May 31, 1977
Elga Bryan White, Blountstown	May 31, 1977

Daytona Beach Junior College:

Henry C. Coleman, Jr., Daytona Beach	May 31, 1977
Charles E. Creal, Flagler Beach	May 31, 1977
Lancaster C. Starke, DeLand	May 31, 1977

Edison Junior College:

Travis A. Gresham, Jr., Fort Myers	May 31, 1977
Kenton H. Haymans, Punta Gorda	May 31, 1977
Henry B. Watkins, Jr., Naples	May 31, 1977

Florida Junior College at Jacksonville:

Joseph M. Ripley, Jr., Fernandina Beach	May 31, 1977
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Florida Keys Community College

Fred A. Bee, Marathon	May 31, 1977
Alfred L. Saunders, Sr., Key West	May 31, 1977

Gulf Coast Junior College:

Robert E. King, Port St. Joe	May 31, 1977
Helen Sowell, Panama City	May 31, 1977
Theodore R. Bowers, Panama City	May 31, 1977

Hillsborough Community College:

Jerry N. Harvey, Tampa	May 31, 1977
Fred M. Hiron, III, Tampa	May 31, 1977

Indian River Community College:

Ben L. Bryan, Sr., Fort Pierce	May 31, 1977
Robert F. Fenton, Stuart	May 31, 1977

Lake City Community College:

G. T. Melton, Lake City	May 31, 1977
W. H. Milton, Macclenny	May 31, 1977
Wilson S. Rivers, Lake Butler	May 31, 1977

Lake-Sumter Junior College:

Marie B. Bowden, Leesburg	May 31, 1977
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	For Term Ending		For Term Ending
Philip D. Conant, Umatilla	May 31, 1977	Clyde D. Middleton, Sr., Palatka	May 31, 1977
Tommy L. Hayes, II, Eustis	May 31, 1974	<b>St. Petersburg Junior College:</b>	
Mrs. R. J. Thornton, Wildwood	May 31, 1977	William W. Gilkey, Clearwater	May 31, 1977
<b>Manatee Junior College:</b>		<b>Santa Fe Junior College:</b>	
Florine J. Abel, Bradenton	May 31, 1977	J. F. Bloodworth, Starke	May 31, 1977
John R. Blue, Bradenton	May 31, 1977	Elizabeth N. Jones, Gainesville	May 31, 1977
<b>Miami-Dade Junior College:</b>		<b>Seminole Junior College:</b>	
Mitchell Wolfson, Miami	May 31, 1977	George W. McCammon, Longwood	May 31, 1977
<b>North Florida Junior College:</b>		<b>South Florida Junior College:</b>	
John W. Peach, Jasper	May 31, 1977	Hue E. Nunnallee, Avon Park	May 31, 1977
Van H. Priest, Madison	May 31, 1977	W. G. Kirk, Wauchula	May 31, 1977
Harold L. Smith, Mayo	May 31, 1977	Ernest P. Palmer, Wauchula	May 31, 1977
<b>Okaloosa-Walton Junior College:</b>		<b>Tallahassee Community College:</b>	
Ruby Burton, DeFuniak Springs	May 31, 1977	Richard W. D'Alemberte, Chattahoochee	May 31, 1977
John W. Minger, Niceville	May 31, 1977	John S. Pigott, Jr., Crawfordville	May 31, 1977
<b>Palm Beach Junior College:</b>		Sarah Cawthon Shaw, Tallahassee	May 31, 1977
Edward M. Eissey, North Palm Beach	May 31, 1977	<b>Valencia Community College:</b>	
Frances R. Hand, Belle Glade	May 31, 1977	Albert H. Chubb, Maitland	May 31, 1977
<b>Pasco-Hernando Community College:</b>		Andrew N. Serros, Orlando	May 31, 1977
Grace P. Hall, Dade City	May 31, 1977	<b>Members, State Board of Independent Colleges and Universities:</b>	
Alice R. Slayden, Brooksville	May 31, 1977	Clinton D. Hamilton, Fort Lauderdale	August 18, 1976
James M. Talley, Brooksville	May 31, 1977	Jerome P. Keuper, Melbourne Beach	August 18, 1976
<b>Pensacola Junior College:</b>		Robert H. Spiro, Jacksonville	August 25, 1976
S. W. Boyd, Sr., Pensacola	May 31, 1977	—having met, and after full inquiry, hereby tenders as the recommendation of this Committee that the Senate do advise and consent, and approve the aforesaid appointments made by the Governor.	
C. W. Graydon, Milton	May 31, 1977		
<b>Polk Community College:</b>		Respectfully submitted,	
Richard James Nash, Frostproof	May 31, 1977	<i>D. ROBERT GRAHAM,</i>	
James Emanuel Stephens, Bartow	May 31, 1977	Chairman	
<b>St. Johns River Community College:</b>		<i>JACK D. GORDON,</i>	
William R. Cotton Hastings	May 31, 1974	Vice Chairman	
John W. Daniels, St. Augustine	May 31, 1977	<i>JIM GLISSON</i>	
Annie Lee Keyes, Orange Park	May 31, 1977	<i>DAVID C. LANE</i>	
		On motion by Senator Graham, the report of the Committee was adopted, and the Senate in open session approved and confirmed the appointments set forth in the foregoing report.	

*PHILIP D. LEWIS  
CURTIS PETERSON  
RICHARD A. PETTIGREW  
KENNETH A. PLANTE  
BOB SAUNDERS  
BRUCE SMATHERS*

The vote was:

Yeas—33

Mr. President	Graham	Poston	Ware
Brantley	Gruber	Saunders	Weber
Childers	Henderson	Saylor	Williams
de la Parte	Johnson	Scarborough	Wilson
Firestone	Lane (23rd)	Sims	Winn
Gallen	Lewis	Smathers	Zinkil
Gillespie	McClain	Stolzenburg	
Glisson	Peterson	Sykes	
Gordon	Plante	Vogt	

Nays—None

By unanimous consent Senator Pettigrew was recorded as voting yea.

#### MOTIONS RELATING TO COMMITTEE REFERENCE

Senator Ware moved that SB 129 be withdrawn from the Committee on Ways and Means and placed on the calendar. The motion failed to receive the necessary two-thirds vote. The vote was:

Yeas—21

Barron	Gruber	Plante	Weber
Brantley	Henderson	Saylor	Wilson
Childers	Johnson	Sims	Zinkil
Deeb	Lane (31st)	Stolzenburg	
Gallen	Lewis	Sykes	
Glisson	McClain	Ware	

Nays—16

Mr. President	Gordon	Poston	Trask
de la Parte	Graham	Saunders	Vogt
Firestone	Myers	Scarborough	Williams
Gillespie	Pettigrew	Smathers	Winn

By unanimous consent Senator Johnston was recorded as voting yea.

On motion by Senator Brantley, HB 4122 was withdrawn from the Committee on Commerce by two-thirds vote and placed on the calendar.

On motions by Senator Saunders, Senate Bills 180 and 1067 were removed from the calendar by two-thirds vote and from further consideration of the Senate.

On motion by Senator Lewis, SM 849 was removed from the calendar by two-thirds vote and from further consideration of the Senate.

On motion by Senator Zinkil, SB 5 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Williams, CS for HB 2884 was withdrawn from the Committee on Ways and Means by two-thirds vote and placed on the calendar.

On motion by Senator Henderson, unanimous consent was obtained to take up out of order—

SCR 1119—A Concurrent Resolution In Memoriam William A. Washburne, Jr.

On motion by Senator Henderson, by two-thirds vote SCR 1119 was read the second time.

Senator Henderson moved the following amendment which was adopted:

Amendment 1—On page 3, line 6, strike "1973" and insert: 1953

On motion by Senator Henderson, by two-thirds vote SCR 1119 as amended was read in full, adopted and ordered engrossed. The vote was:

Yeas—35

Brantley	Graham	Peterson	Sykes
Childers	Gruber	Plante	Trask
Deeb	Henderson	Poston	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Lane (31st)	Saylor	Williams
Gallen	Lane (23rd)	Scarborough	Wilson
Gillespie	Lewis	Sims	Winn
Glisson	McClain	Smathers	Zinkil
Gordon	Myers	Stolzenburg	

Nays—None

On motion by Senator Brantley, unanimous consent was obtained to take up out of order—

HCR 2853—A concurrent Resolution in Memoriam of Eartha Mary Magdalene White.

On motion by Senator Brantley, HCR 2853 was read the second time in full, adopted and certified to the House. The vote was:

Yeas—33

Brantley	Graham	Pettigrew	Vogt
Childers	Gruber	Plante	Weber
Deeb	Henderson	Poston	Williams
de la Parte	Johnson	Saylor	Wilson
Firestone	Lane (31st)	Scarborough	Winn
Gallen	Lane (23rd)	Sims	Zinkil
Gillespie	Lewis	Smathers	
Glisson	McClain	Sykes	
Gordon	Peterson	Trask	

Nays—None

#### MESSAGE FROM THE GOVERNOR

The Governor advised that he had filed in the office of the Secretary of State Senate Bills 34, 80, 334, 335, 340, 966, 1091 and CS for SB 99, which he had approved May 27.

#### MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4065 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Retirement, Personnel & Claims—

HB 4065—A bill to be entitled An act relating to public retirement and pension plans creating a new Section 112.0516, Florida Statutes; providing for vesting of rights; providing for refund of contributions; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

CS for HB 4013

HB 3566

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Governmental Operations and Retirement, Personnel & Claims—

CS for HB 4013—A bill to be entitled An act relating to retirement; adding two new subsections (7) and (8) to section

20.31, Florida Statutes, 1973; providing for the creation of a state retirement commission within the department of administration; providing for the appointment, terms, and qualifications of members of the state retirement commission; providing for the duties and responsibilities of the state retirement commission; providing for certain appeals to be heard by the state retirement commission; providing a penalty; providing that the department of legal affairs may provide legal advice for the state retirement commission; providing for administrative and secretarial support for the state retirement commission; providing for the payment of an honorarium, per diem and travel expenses for members of the state retirement commission; authorizing the director of the division of retirement to sign contracts and make decisions necessary to carry out responsibilities assigned by law; amending Section 121.031, Florida Statutes, 1973, and redesignating it as Subsection (1) and by adding two new subsections (2) and (3); authorizing the division of retirement to obtain adequate electronic data processing services; authorizing the division of retirement to establish new internal administrative structure for disability determinations; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Representatives Young and Kutun—

**HB 3566**—A bill to be entitled An act relating to public schools; amending section 27 of Chapter 73-338, Laws of Florida, to provide that annual reports of school progress be made for each preceding fiscal year; amending section 30 of Chapter 73-338, Laws of Florida, to provide for distribution of copies of annual reports of school progress upon request of parents or guardians of children attending public schools and other interested parties; providing an effective date.

—was read the first time by title and referred to the Committee on Education.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed by the required constitutional three-fifths vote of the membership of the House HJR 4103 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Retirement, Personnel & Claims—

**HJR 4103**—A joint resolution proposing the creation of Section 14 of Article X of the State Constitution relating to state retirement systems.

—was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed—

HB 4021	HB 4023	HB 4025
HB 4037	HB 4045	HB 3936
HB 4061	HB 4028	HB 4041
HB 4072	HB 4074	HB 4076
HB 3961	HB 3891	HB 4048
HB 4067	HB 4070	HB 4071
HB 3970	HB 4029	HB 4060
HB 4073	HB 4075	HB 4173
HB 3930	HB 4087	HB 4097

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Rude and others—

**HB 4021**—A bill to be entitled An act relating to Broward County, amending Chapter 65-1338, Laws of Florida, Special Acts of 1965 as amended by Chapter 69-919, Laws of Florida, Special Acts of 1969 and Chapter 71-569, Laws of Florida, Special Acts of 1971, relating to the Broward County air and

water pollution control act; amending Section 5(a) of said act to strike requirement that members of the Broward County pollution control board be freeholders, and to permit the engineer member of said pollution control board to be a government employee; and providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4021.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 4023**—A bill entitled An act relating to Broward County, amending Chapter 61, 1969, Laws of Florida, Special Acts of 1961, as amended by Chapter 63-1186, Laws of Florida, Special Acts of 1963, Chapter 1337, Laws of Florida, Special Acts of 1965, Chapters 69-905, Laws of Florida, Special Acts of 1969, Chapters 71-562 and 71-581, Laws of Florida, Special Acts of 1971, and Chapter 73-420, Laws of Florida, Special Acts of 1973, relating to water resources development and management in Broward County; amending Section 13 of said act to authorize freeholders to vote in referendums establishing water management districts; amending Section 14 (c) of said act to provide that freeholders may be members of governing boards, deleting the requirement for holding of an election to fill vacancies, and authorizing governing board of the district to make appointments to fill vacancies caused for reasons other than expiration of the term of office; amending Section 25 (11) of said act to permit freeholders to vote in bond elections called by any governing board; amending Section 28 (d) of said act to allow freeholders to vote in any referendum on question of amending district boundaries; amending Section 29 of said act to allow freeholders to file petitions for discontinuance of water management districts and to vote in referendums called for such purposes; providing for severability of invalid provisions; and providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4023.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 4025**—A bill to be entitled An act relating to Broward County amending Section 104 of South Florida Building Code as enacted for Broward County by Chapter 71-575, Laws of Florida, Special Acts of 1971, as amended, to exempt existing buildings and structures of historical significance or within historical areas in the City of Fort Lauderdale, from the requirements of the South Florida Building Code; to permit restoration and rehabilitation of buildings so designated without compliance with the requirements of the South Florida Building Code provided that the health, safety and welfare of the public are not endangered thereby; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4025.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Wilson and others—

**HB 4037**—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County library task force; providing the task force shall develop a report on providing county wide library service under the Board of County Commissioners and submit such plan to the members of the Legislative Delegation, the Board of County Commissioners and the various municipalities of Pinellas County prior to the next regular session of the Legislature; providing for membership, duties and powers of the task force; providing certain services for the use of the task force; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4037.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Grizzle and others—

**HB 4045**—A bill to be entitled An Act amending Section 4 of Chapter 29438, Laws of Florida, 1953, as amended, the most recent amendment being section 1 of Chapter 71-872, Laws of Florida; providing for change of the maximum assessment rates for the Indian Rocks Special Fire Control District; providing an effective date contingent upon approval by the electors of Pinellas County at a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Gorman and others—

**HB 3936**—A bill to be entitled An Act relating to zoning in Orange County; amending Section 12, subparagraph (a), of Chapter 63-1716, Laws of Florida, to provide that the Board of Zoning Adjustment is to act in an advisory capacity to the Board of County Commissioners; amending Section 13 of Chapter 63-1716, as amended by Section 4 of Chapter 71-795, all Laws of Florida, to provide that the Board of Zoning Adjustment shall make recommendations to the Board of County Commissioners on appeals from decisions of the Planning and Zoning Director, and the granting of special exceptions and variances, and providing that the Board of County Commissioners must take official action on such recommendations which may either adopt, reject, or modify, after public hearing, such recommendations before becoming effective; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3936.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tillman—

**HB 4061**—A bill to be entitled An act relating to DeSoto County, which amends Chapter 67-1290 of the Special Acts of the Florida Legislature of the 1967 Regular Session, being House Bill No. 2450, a special act relating to DeSoto County, which said amendment provides for the dissolution of water conservation and recreation districts created pursuant to said Chapter 67-1290 of the Special Acts of the Regular Session of the Florida Legislature for the year 1967, which have not been active for a period of one year and do not serve the purpose for which they were created; providing for petition by landowners; providing for published notice and public hearing; providing for the refund of tax monies; providing for the payment of the debts of such district; providing for any real and personal property belonging to the district other than monies to become County property upon dissolution; providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4061.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Matthews and others—

**HB 4028**—A bill to be entitled An Act relating to the City of Orlando, Orange County, Florida, and the pension fund for the police department of said city; amending §13 of Chapter 22414, Special Acts of 1943, the act creating said pension fund, by adding subparagraph (2) providing for payments where a member or former member of the police department dies without a surviving widow or widower, a minor child or dependent mother; repealing §16 of Chapter 22414, Special Acts of 1943, as amended by §2 of Chapter 57-1649, Special Acts of 1957, and as amended by §4 of Chapter 72-632, Special Acts of 1972, thereby repealing the provision pertaining to payments where a member or former member of the police department is convicted of a felony or is discharged; repealing §17 of Chapter 22414, Special Acts of 1943, thereby repealing the provision pertaining to judgments recovered against the City of Orlando, by a member or former member of the police department; providing a severability clause; and providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4028.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Earle and others—

**HB 4041**—A bill to be entitled An act relating to the Lake Apopka Natural Gas District located in Orange and Lake Counties; amending Chapter 59-556, Laws of Florida, 1959, to increase the limits of compensation which may be paid to directors of the Lake Apopka Natural Gas District; and providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4041.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4072**—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 298, Florida Statutes, relating to drainage and water management, and the creation, financing, and management of water management districts, insofar as chapter 298, Florida Statutes, may apply to the unincorporated areas situate wholly within Hillsborough County and not consisting of lands located in other counties; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing for consolidation; providing that this act shall not affect districts situate within any municipality; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4072.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4074**—A bill to be entitled An act relating to Hillsborough County; amending §1 of chapter 57-1387, Laws of Florida, as amended by §1 of chapter 63-1413, Laws of Florida, and further amended by §1 of chapter 73-492, Laws of Florida; §1-A of chapter 57-1387, Laws of Florida, added by chapter 63-1413, Laws of Florida; and §3 of chapter 57-1387, Laws of Florida, as amended by §1 of chapter 73-492, Laws of Florida; authorizing the board of county commissioners of Hillsborough County, the Hillsborough County aviation authority, the Hillsborough County port authority, the board of public assistance and other similarly created public bodies corporate or their legal successors to enter into agreements for group insurance for officers and employees thereof to provide health, accident, hospitalization, and life insurance; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4074.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4076**—A bill to be entitled An act relating to the City of Tampa, Hillsborough County; amending §§3 and 5, chapter 23559, Laws of Florida, 1945, as amended, relating to the pension or retirement fund for disabled or retired permanent employees; increasing the rate of the city's contribution to the fund; providing an additional percentage of average salary or wage for certain periods of service; providing certain cost of living adjustments; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4076.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Williams—

**HB 3961**—A bill to be entitled An act relating to the Town of Penney Farms, Clay County; repealing chapters 13253, 1927, 20055, 1939, 57-1712 and 71-844, Laws of Florida; establishing and amending the town charter; establishing a successor municipality to be known as the Town of Penney Farms; providing for continuation of government; fixing its powers and duties; estab-

lishing its organization; providing for qualifications of members of the town council and their election; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Haben—

HB 3891—A bill to be entitled An act relating to Manatee County; amending chapter 25996, Laws of Florida, 1949, relating to the Whitfield Zoning District; amending §1 to clarify the intent of said chapter in creating a special zoning district, to provide a new legal description of said district and to authorize the election of a treasurer; amending §3 to provide that lands be used or occupied for single family private residential and dwelling purposes; amending §6 to authorize the Zoning Commission to regulate and restrict the use of land and water for certain purposes for the protection of the health, safety and welfare of the district and to prohibit certain types of vehicles; amending §8 to provide that regulations be designed to protect the natural resources; repealing §11 relating to the Zoning Committee; amending §12 to delete a reference to the Zoning Committee; amending §13 to delete a reference to Bradenton; amending §14 to provide that each day a violation continues shall constitute a separate offense to be prosecuted by the state attorney and to provide a penalty; ratifying and confirming actions of the Whitfield Zoning Board; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3891.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Clem—

HB 4048—A bill to be entitled An act relating to Indian River County, Indian River County Hospital District; amending Paragraph 1 of Section 17, Chapter 61-2275 as amended by Chapters 71-688 and 72-568, Laws of Florida, providing an increase in the amount of bonds of said District authorized to be outstanding at any time from ten million dollars (\$10,000,000) to an amount not to exceed fifteen million dollars (\$15,000,000); providing for an effective date:

Evidence of notice and publication was established by the Senate as to HB 4048.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Sessums and others—

HB 4067—A bill to be entitled An act relating to Hillsborough County; amending §2 of chapter 73-633, Laws of Florida, which relates to the power of the Tampa sports authority to lease, rent, or contract its facilities and real property, to provide an ad valorem taxation exemption; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4067.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

HB 4070—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 27607, Laws of Florida, 1951, relating to the creation of sanitary districts within the County of Hillsborough insofar as such chapter may relate to the unincorporated areas of the county; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing that this act shall not affect districts situate within any municipality; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4070.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

HB 4071—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 153, Florida Statutes, relating to county water and sewer systems, county water system and sanitary sewer financing, and county water and sewer districts insofar as chapter 153, Florida Statutes, may relate to the unincorporated areas of Hillsborough County; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4071.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tillman and others—

HB 3970—A bill to be entitled An act relating to Charlotte County, dissolving and terminating charlotte county development authority; providing for the vesting of title to property; transferring powers; providing for the assumption of liabilities; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Gorman and others—

HB 4029—A bill to be entitled An Act relating to the City of Orlando, Orange County, Florida, and the pension fund for the fire department of said city; amending §13 of Chapter 23444, Special Acts of 1945, the act creating said pension fund, by adding subparagraph (2) providing for payments where a member or former member of the fire department dies without a surviving widow or widower, a minor child or dependent mother; repealing §16 of Chapter 23444, Special Acts of 1945, as amended by §4 of Chapter 72-633, Special Acts of 1972, thereby repealing the provision pertaining to payments where a member or former member of the fire department is convicted of a felony or is discharged; repealing §17 of Chapter 23444, Special Acts of 1945, thereby repealing the provision pertaining to judgments recovered against the City of Orlando, by a member or former member of the fire department; providing a severability clause; and providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4029.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

HB 4060—A bill to be entitled An act relating to East County water control district, Lee County and Hendry County; repealing section 3, chapter 70-498, Laws of Florida (1970) which provides that certain provisions of part II of chapter 163, Florida Statutes, shall not apply to the district; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4060.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

HB 4073—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing §§336.14, 336.15, 336.16, 336.17, 336.18, 336.19, 336.20, 336.22, 336.23, 336.24, 336.25, 336.26, 336.28, 336.29, 336.30, 336.31, 336.33, 336.34, 336.35, 336.37, 336.38, 336.39, 336.49, 336.61, 336.62, 336.63, 336.64, 336.65, 336.66, and 336.67, Florida Statutes, relating to county roads and the creation, financing, and management of special tax road districts, special road and bridge districts, and special road, bridge and ferry districts, insofar as said sections may relate to the unincorporated areas of Hillsborough County; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county



commissioners; providing for the abolishment of existing districts; providing that this act shall not affect districts situate within any municipality; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4073.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4075**—A bill to be entitled An act relating to the unincorporated areas of Hillsborough County; repealing chapter 7487, Laws of Florida, 1917, relating to the creation of reclamation districts within the unincorporated areas of the county; providing for the continuation of existing districts; providing for the transfer and vesting of the functions and obligations of existing districts in the board of county commissioners; providing for the abolishment of existing districts; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4075.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Shreve and others—

**HB 4173**—A bill to be entitled An act relating to Brevard County and local governments; prohibiting all local governmental units levying ad valorem taxes in Brevard County from increasing ad valorem tax revenues in excess of ten percent in any one year without an affirmative vote of the voters; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4173.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 3930**—A bill to be entitled An act relating to Lee County, Florida Club Beverage Licenses; exemption and excepting the Sandpiper Club, Inc., a non-profit corporation under the Laws of Florida, from the provisions of section 565.02(4) as the same relates to the period of time that a non-profit club is required to have been in continuous active existence and operation before becoming entitled to a license under the provisions thereof; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3930.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4087**—A bill to be entitled An act relating to Hillsborough County; authorizing issuance of an alcoholic beverage license to the Hillsborough county aviation authority or other governmental agency operating Tampa International Airport; providing for application; providing for transfer; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4087.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Walker—

**HB 4097**—A bill to be entitled An Act providing for the relief of John Ronan, Jr. and W. Baron; providing an appropriation; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4097.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 4063	HB 3973	HB 3937
HB 4105	HB 3981	HB 4156
HB 4104	HB 3904	HB 4019
HB 4008	HB 3889	HB 4085
HB 4170	HB 4126	HB 4068
HB 4088	HB 3928	HB 4036

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Johnson and Crabtree—

**HB 4063**—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district; amending §4(1) of chapter 65-2241, Laws of Florida, as amended by chapter 67-2046, Laws of Florida, and chapter 70-933, Laws of Florida; providing for the levy and collection of special assessments for benefits for fire protection and for ambulance service and providing for an increase in the maximum assessments in an amount equal to the increase in cost-of-living; stating legislative intent; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Moudry and others—

**HB 3973**—A bill to be entitled An act relating to Palm Beach County; amending §1 of chapter 27808, Laws of Florida, 1951, as amended by chapter 59-1697, Laws of Florida, authorizing the taxation of certain additional filing fees in the circuit court in and for Palm Beach County by providing for the collection of said fees by the clerk of the circuit court, by allocating fees to the use of the Legal Aid Society of Palm Beach County, Inc.; repealing all laws or parts of laws in conflict herewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3973.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Matthews and others—

**HB 3937**—A bill to be entitled An act relating to Air and Water Pollution Control in Orange County, Florida; amending Section 11 of Chapter 67-1830, Laws of Florida to create additional judicial remedies to be used by the pollution control officer of Orange County in enforcing rules and regulations relating to pollution; providing for the recovery of damages and civil penalties; amending Section 18 of Chapter, 67-1830, Laws of Florida to provide additional civil penalties; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3937.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Williams—

**HB 4105**—A bill to be entitled An act relating to Clay County; providing a method of fixing millage; providing that the county, school board, municipalities, and taxing districts shall decrease the millage required of said county, school board, municipalities, or taxing districts in proportion to the increase of the general level of assessed valuation of property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by the county budget commission; providing for verification of budgets and millage increases; specifying millages to be excluded from the reductions required by this act; requiring local taxing authorities to maintain millage necessary to participate in state funding programs; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.



By Representative Rude and others—

**HB 3981**—A bill to be entitled An Act relating to Broward County amending sections of Chapter 71-575, Laws of Florida, Special Acts of 1971; as amended by Chapter 72-482, Laws of Florida, Special Acts of 1972; as amended by Chapter 72-485, Laws of Florida, Special Acts of 1972; as amended by Chapter 73-427, Laws of Florida, Special Acts of 1973; amending Section 8 of Chapter 71-575 to require competent and qualified building inspectors and requiring certification of building departments by the Board of Rules and Appeals after determining the building inspectors are competent and qualified; amending Section 201 of the South Florida Building Code by deleting the provision rendering Section 201 inapplicable to persons acting as building officials on the effective date of this Ordinance; amending Section 4 to prohibit an inspector from engaging in competition with firms or persons whose work he inspects; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3981.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Mooney and Fechtel—

**HB 4156**—A bill to be entitled An act relating to Seminole County, Florida; providing that Sections 155.04, 155.12 and 155.25, Florida Statutes, shall not apply to Seminole County; providing for establishment of county hospitals, petition and election; providing for bond issues and a three (3.00) mill limit thereon; providing for general powers and duties of trustees; providing for approval by the board of county commissioners of Seminole County of board of trustee annual budgets; providing for tax levy by the board of county commissioners; providing a sixty-five one hundredth (.65) millage limit for annual budget purposes; providing purchasing restrictions and requirements; providing a one (1) mill limit for erection, equipment, repair, and additions to public hospitals; providing for construction of act and severability; providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4156.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Williams and Craig—

**HB 4104**—A bill to be entitled An act relating to St. Johns County; providing a method of fixing millage; providing that the county, school board, municipalities, and taxing districts shall decrease the millage required of said county, school board, municipalities, or taxing districts in proportion to the increase of the general level of assessed valuation of property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by the county budget commission; providing for verification of budgets and millage increases; specifying millages to be excluded from the reductions required by this act; requiring local taxing authorities to maintain millage necessary to participate in state funding programs; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Jones and others—

**HB 3904**—A bill to be entitled An act relating to the City of Lake Alfred, Polk County; extending the present territorial limits of the municipality to include therein all of the waters of certain lakes contiguous to the present limits of said city, to wit: the waters of Lake Alfred, Haines, Rochelle, Echo, and Cummings, said lakes lying and being within Townships 27 and 28 South, Range 26 East, in Polk County; providing for a referendum; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3904.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative J. C. Thomas and others—

**HB 4019**—A bill to be entitled An act relating to Broward County; providing that the governing body of every municipality shall be prohibited from any annexation after the effective date of this act until a land use plan has been adopted by the county and the municipality desiring to annex; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4019.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Harllee and Haben—

**HB 4008**—A bill to be entitled An act relating to the Ellenton Fire Control District; amending §4 of Chapter 59-1539, Special Acts of 1959, Laws of Florida, as previously amended by Chapter 67-1692, Special Acts of 1967, Laws of Florida; increasing the maximum assessment that may be levied against a dwelling and the land upon which it is located if not in excess of one (1) acre to twenty dollars (\$20) per annum; providing for a special assessment against taxable real estate in the district used as mobile home rental space in the maximum amount of twenty dollars (\$20) per annum per rental space; increasing the maximum amount that may be levied against unsubdivided acreage to twenty-five cents (25¢) per acre or fraction thereof per annum but not to exceed the sum of twenty-five dollars (\$25) for any one (1) unsubdivided parcel of more than one hundred (100) acres; providing that the board of commissioners may assess different mobile home rental spaces in different amounts because of different usage; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4008.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Moudry and others—

**HB 3889**—A bill to be entitled An act relating to Palm Beach County; authorizing a countywide solid waste disposal authority; providing for declaration of legislative intent; providing for definitions; providing for the creation of a countywide solid waste disposal authority; providing for application to incorporated and unincorporated areas; providing for countywide programs; providing for purposes and powers; providing for exemption from taxation; providing for issuance of bonds; providing for loans and grants; providing for supervisory powers; prohibiting certain acts; providing for violations and penalties; providing for enforcement procedure; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3889.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 4085**—A bill to be entitled An act relating to Broward County amending Chapter 27438, Laws of Florida, Special Acts of 1951, relating to the North Broward Hospital District, as amended, creating a new Section 46 to establish fiscal year for the North Broward Hospital District from July 1 to June 30 notwithstanding the provisions of Florida Statute 218.33; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4085.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Richmond and Culbreath—

**HB 4170**—A bill to be entitled An act relating to Pasco County; establishing the board of consumer affairs and appeals; providing for procedures and records; providing powers and jurisdiction; establishing the office of director of the

board; providing powers and duties of the director; providing investigation procedures; providing funding; providing definitions; providing penalties; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4170.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Crane and others—

**HB 4126**—A bill to be entitled An act relating to Pinellas County; amending §§3 and 5 of chapter 72-663, Laws of Florida, relating to the authority of the board of trustees of the internal improvement trust fund to approve minimum dredging and spoiling and to provide for reasonable improvement of public lands in the aquatic preserve for public transportation projects; amending §8(d)3. of chapter 72-664, Laws of Florida, authorizing the Pinellas County water and navigation control authority to approve certain dredging and filling of submerged lands for public transportation projects and other projects which would enhance the public safety and welfare; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4126.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Sessums and others—

**HB 4068**—A bill to be entitled An act relating to the Tampa sports authority; amending §§4(h), 5(2), 6(b) and 8 of chapter 65-2307, Laws of Florida, to delete the limitation on interest which bonds may bear, to permit a negotiated sale of bonds, to permit the issuance of bond anticipation notes, to permit proceeds of refunding bonds to be deposited under certain conditions in federally insured banks, to delete a proviso relating to a restriction on the issuance of revenue bonds, and to provide for pledging by the City of Tampa and County of Hillsborough of moneys derived from nonad valorem tax sources to the support of any bonds of the authority; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4068.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Wilson and others—

**HB 4088**—A bill to be entitled An Act relating to Pinellas County; amending subsection (1), section 7, chapter 73-594, Laws of Florida, amending the right of the board of county commissioners to review the budget of the Pinellas County Planning Council allowing increases or reductions; amending subsection (8), section 9, chapter 73-594, Laws of Florida, providing for a veto of plans, codes and regulations adopted by the council; repealing subsection (8), section 5, chapter 72-594, Laws of Florida, relating to the adoption of plans, codes and regulations by the council; amending Chapter 73-603, Laws of Florida eliminating Task Force and assigning all powers and duties of Task Force to Pinellas Planning Council; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4088.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 3928**—A bill to be entitled An act creating a civil service system for employees of the office of the sheriff of Lee County; creating a civil service board, providing for said board's powers, duties and qualifications; providing for a table of organization and a certification by the sheriff that the office is properly and sufficiently organized and capable of operation under the civil service rules adopted pursuant hereto; providing for a waiver of those who have been employed by the sheriff for at

least one (1) year prior to the time this act becomes operational; providing for classification of employees; providing for hearings and appeals; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3928.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 4036**—A bill to be entitled An act relating to Lee County; amending Section 1, Chapter 61-2407, Laws of Florida, 1961, to provide that each jury commissioner shall receive compensation of one hundred (\$100.00) dollars per year; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4036.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed—

HB 3238	HB 3971	HB 3979
HB 3998	HB 4007	HB 3982
HB 3984	HB 3985	HB 3987
HB 3986	HB 3972	HB 3953
HB 3939	HB 3989	HB 3933
HB 3934	HB 3935	HB 3938
HB 3947	HB 3945	HB 3941
HB 4001	HB 3513	HB 3602
HB 3601	HB 3600	HB 3925
HB 3917	HB 3544	HB 3918
HB 3910	HB 3892	HB 3890
CS for HB 3222	HB 3203	

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Culbreath—

**HB 3238**—A bill to be entitled An act repealing Chapter 28991, Laws of Florida, Special Acts of 1953, being an act entitled: An Act authorizing Dade City, Florida, a Municipal Corporation, to acquire, establish, operate and maintain a municipal library and providing for financing the same; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3238.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Mooney and others—

**HB 3971**—A bill to be entitled An act relating to Lake, Orange and Seminole counties; prohibiting the discharge of firearms on or over the Wekiwa or the Little Wekiwa rivers; providing penalties for violations; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3971.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative MacKay—

**HB 3979**—A bill to be entitled An Act relating to the City of Ocala, Marion County; Amending Chapter 67-1782, Special Acts of the State of Florida 1967, to change certain provisions concerning the date elected council members shall take office and when the council president and council president pro tem shall be elected to office; amending subsections (c) and (d), of Section 2.01, Article II, and Section 8.03 of Chapter 67-1782, Laws of Florida, Acts of 1967; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3979.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Melvin and others—

**HB 3998**—A bill to be entitled An act relating to Okaloosa County, Ocean City-Wright Fire Control District; amending section 3 of chapter 65-1988, Laws of Florida; providing for the staggering of terms of office of the members of the board of commissioners; repealing all laws or parts of laws in conflict; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3998.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Harllee and Haben—

**HB 4007**—A bill to be entitled An act relating to the Palmetto Fire Control District special assessments and charges; amending Section 7, Chapter 63-1593, Laws of Florida previously amended by Section 1, Chapter 65-1891, Laws of Florida; and Section 1, Chapter 71-758, Laws of Florida; increasing the maximum assessment which may be levied against a business firm to one hundred dollars (\$100); increasing the maximum assessment which may be levied against taxable real estate used as trailer rental space to thirteen dollars (\$13); increasing the maximum assessment which may be levied against each dwelling to thirteen dollars (\$13); providing for a maximum assessment of thirteen dollars (\$13) per living unit in a duplex, triplex, condominium, apartment building and other multifamily dwelling exceeding two (2) stories in height; providing for a maximum assessment of ten dollars (\$10) per living unit in a duplex, triplex, condominium, apartment building and other multifamily dwelling not exceeding two (2) stories in height; providing for a maximum assessment of fifty cents (50¢) per acre or fraction thereof per annum on unsubdivided acreage; increasing the maximum assessment which may be levied against a vacant lot to one dollar (\$1); and providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4007.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative McPherson and others—

**HB 3982**—A bill to be entitled An act relating to Broward County, amending Chapter 24415, Laws of Florida, Special Acts of 1947, relating to the South Broward Hospital District, amending Section 7 of said act to authorize the Board of Commissioners of South Broward Hospital District to establish schools or training programs for doctors' residency, nurses, paramedics, medical technicians and other technically trained people in the medical or related fields and to expend money or give other assistance, on a cooperative basis, with educational or vocational schools for training or education in such fields; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3982.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 3984**—A bill to be entitled An Act relating to Broward County, repealing Chapter 25711, Laws of Florida, Special Acts of 1949, which required the appointment of a jury commission in Broward County; repealing Chapter 69-912, Laws of Florida, Special Acts of 1969, which provided compensation for Broward County jury commissioners; repealing Chapter 69-913, Laws of Florida, Special Acts of 1969, which specified duties of Broward County jury commissioners; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3984.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 3985**—A bill to be entitled an act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 6, subparagraph (1) thereof to provide for the regulation of taxicabs in Broward County by the Broward County Transportation Authority and to provide for a centralized Traffic Control Signalization System; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3985.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 3987**—A bill to be entitled An act relating to Broward County, amending Chapter 59-1157, Laws of Florida Special Acts of 1959, charter of Port Everglades authority as amended by Chapter 70-612, Laws of Florida, Special Acts of 1970, relating to standards of conduct for port commissioners and port employees, deleting limitations on employment and personal investments; prohibiting candidates for the port commission or port commissioners from accepting political contributions in excess of \$100.00 in any primary or general election from any person, firm or corporation doing business with the port authority; declaring any person who offers or gives any gift of a value which exceeds \$25.00 to any port commissioner or port employee to be guilty of a misdemeanor of the second degree and upon conviction to be punished in accordance with law; declaring any person who offers or gives any gift of a value which exceeds \$25.00 to any person, firm or corporation employed by or furnishing materials or supplies to the port authority for the purpose of securing personal benefits to himself to be guilty of a misdemeanor in the second degree and upon conviction to be punished in accordance with law; repealing section 2(c) and section 5 of Part V, Article 1, Chapter 59-1157, Laws of Florida, Special Acts of 1959, relating to the levying of tax by the port authority for the purpose of having the principal and interest required by the terms of a contract and refunding agreement between the Port Everglades authority and bond holders association dated November 18, 1935 as amended relating to certain negotiable bonds and interest coupons dated June 15, 1926; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3987.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 3986**—A bill to be entitled An act relating to Broward County, amending Chapter 30636, Laws of Florida, Special Acts of 1955, as amended by Chapter 61-1933, Laws of Florida, Special Acts of 1961, and Chapters 65-1311 and 65-1312, Laws of Florida, Special Acts of 1965; relating to the establishment and maintenance of a county pound in Broward County; amending Section 5 of said act in order to authorize the board of county commissioners to establish the fee to be charged for vaccination certificates and tags, and fees for issuance of duplicate tags; and providing for an effective date;

Evidence of notice and publication was established by the Senate as to HB 3986.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative David Clark and others—

**HB 3972**—A bill to be entitled An act relating to Palm Beach County; amending §§6, 9, 10, 11, 13, 17 and 20 of chapter 65-2063, Laws of Florida, increasing from four (4) to five (5) the number of members of the Palm Beach County planning board which shall constitute a quorum; providing for the power and responsibility of incorporated municipalities within Palm Beach County to plan future development; requiring the adoption of a comprehensive plan by Palm Beach County and each municipality within Palm Beach County; providing for coordination of all local plans by the board with a regional comprehensive plan; providing a purpose and effect of the regional plan; requiring the board to prepare periodic reports on the re-

gional plan to each local governmental unit; providing contents of the periodic reports; permitting the board to revise any local comprehensive plan in conflict with the regional plan; providing for effect of regional plan on local governmental units; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3972.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Reynolds and others—

**HB 3953**—A bill to be entitled An act relating to the City of Boca Raton, Palm Beach County; creating a special taxing district for the acquisition of beach property; specifying area of district; creating a board of commissioners for the district; providing that commissioners may be required to post a bond; providing purposes of the district; providing powers and duties of the board; providing procedures for payment of district funds and for purchases by district; providing a procedure for levy and collection of taxes; providing for the payment of expenses; providing for liberal construction of the act; providing for severability; providing for a referendum.

Evidence of notice and publication was established by the Senate as to HB 3953.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative James and others—

**HB 3939**—A bill to be entitled An act relating to the Southwestern Palm Beach County Public Hospital Board; providing for ambulance service authority; amending §18 of chapter 26107, Laws of Florida, 1949; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3939.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Walker—

**HB 3989**—A bill to be entitled An act relating to Collier County, district school board; authorizing the board to provide certain group insurance plans; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3989.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagan and others—

**HB 3933**—A bill to be entitled An Act relating to Orange County, Florida; repealing Chapter 63-1703, Laws of Florida, which granted to the Board of County Commissioners of Orange County the power to acquire and construct an athletic field, stadium, parks, recreational fields, a zoological park, necessary roads, walkways and parking areas; and creating an Advisory Board to be known as the Orange County Recreation Board; providing for the issuance of revenue bonds; providing for a referendum; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3933.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Hagan and others—

**HB 3934**—A bill to be entitled An act relating to Orange County, Florida; repealing Chapter 65-2005, Laws of Florida, which granted to the Board of County Commissioners of Orange County, the power acting alone or jointly with one or more governmental bodies to acquire, construct, extend, enlarge, repair, improve, maintain and operate in Orange County athletic fields, stadiums, music halls, convention buildings, parks, recreational facilities, zoological parks and necessary buildings,

structures, facilities, improvements, roads, walkways and off-street parking areas for use in connection therewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3934.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Gorman and others—

**HB 3935**—A bill to be entitled An Act relating to the Orange County Waste Collection and Disposal System; amending Section 6, sub-paragraph 11, of Chapter 69-1371, Laws of Florida, to delete the provision limiting the appropriation and expenditure from the general revenue fund for the purpose of paying a portion of the cost and expenses for the maintenance and operation of the Orange County Waste Collection and Disposal System to \$100,000 in any one fiscal year; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3935.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Earle and others—

**HB 3938**—A bill to be entitled An Act relating to fire control districts in Orange County, Florida; amending Section 2 of Chapter 67-1821, as amended by Chapter 71-805, Laws of Florida, to provide in sub-paragraph (1) that an election to create a fire control district may be called by the Board of County Commissioners by resolution, deleting in sub-paragraph (2) the reference to special primary election and voting by freeholders and providing that the Board of County Commissioners may require that the County be reimbursed for the expenses of an unsuccessful election; amending Section 3 of Chapter 67-1821, Laws of Florida, to add a sub-section (1) to provide that the Board of County Commissioners may declare its intention by resolution to create a new fire control district, providing for the procedure for establishment of such a district, amending the existing Section 3 to provide a sub-section (2), to delete the requirement for contiguity and precinct size for the annexation to an existing district, and deleting the reference to freeholders; amending Section 4 of Chapter 67-1821, Laws of Florida, to delete the requirement that an area to be annexed to a fire control district be contiguous thereto; amending Section 5 of Chapter 67-1821, Laws of Florida, to delete the reference to freeholders; amending Section 8 of Chapter 67-1821, Laws of Florida, as amended by Chapter 69-1380, all Laws of Florida, to amend sub-paragraph (2) and sub-paragraph (4) by deleting the reference to freeholders; by creating a Section 18 of Chapter 67-1821, Laws of Florida, to provide that the Board of County Commissioners may, by resolution, change the boundaries of fire control districts from one district to another; amending Section 20 of Chapter 67-1821, Laws of Florida, to provide that districts created by special election are ratified and confirmed; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3938.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Poorbaugh—

**HB 3947**—A bill to be entitled An act relating to Jupiter Inlet District, Palm Beach County, a special taxing district established by chapter 8910, Laws of Florida, 1921; amending said act creating and incorporating the district, and any subsequent amendments or supplements to said act, in order to revise the boundaries of the district by adding certain described lands to the district as previously prescribed, and by deleting certain other described lands from same; establishing a new legal description of the boundaries of the district to replace that description contained in §1 of the prior acts or amendments or supplements aforesaid; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3947.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Poorbaugh—

**HB 3945**—A bill to be entitled An act relating to Martin County; repealing chapter 63-1614, Laws of Florida, which authorizes the county health department to issue permits for the operation of child-care centers, and which provides for standards, rules, and regulations with respect to such centers; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3945.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 3941**—A bill to be entitled An act relating to the Boca Grande Fire Control District; amending Section 3, Chapter 22372, Laws of Florida, 1943, to allow Board to lease property as deemed necessary for fire control purposes.

Evidence of notice and publication was established by the Senate as to HB 3941.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 4001**—A bill to be entitled AN ACT relating to Lee County; establishing and organizing a municipality to be known and designated as the City of Sanibel in said county; defining its territorial boundaries; providing for its government, jurisdiction, powers, franchises, immunities, privileges and means for exercising the same; prescribing the general powers to be exercised by said city; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ogden and others—

**HB 3513**—A bill to be entitled An act amending chapter 18615, Laws of Florida, Special Acts of 1937, as amended, to require that members of police and fire department of the City of Jacksonville who are participating in the pension funds established thereby, contribute eight and one-half per centum per annum of all salaries or wages paid to said members until a certain time, and thereafter to require that said members shall contribute eight per centum per annum of all salaries or wages paid to said members; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3513.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ogden and others—

**HB 3602**—A bill to be entitled An act relating to local government; amending subsection 7.403 (B) (2) and (3) of Chapter 67-1320, Laws of Florida, as amended, to provide that when position in local health unit under City of Jacksonville's civil service system becomes vacant and state department of administration creates equivalent position in state career service system, said city position shall be abolished without necessity for action by city civil service board and that all employees, whether under city civil service system or under state career service system, eligible to take promotional examination for new state position may do so; providing that any person appointed to new state position shall automatically become member of state career service system, whether or not he was member thereof before said appointment; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3602.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Carlucci and others—

**HB 3601**—A bill to be entitled An act amending section 18.05 of Chapter 67-1320, Laws of Florida, as amended, by adding

a new subsection (4) thereto so as to permit handicapped persons to participate in any retirement and pension system of the City of Jacksonville provided said person satisfies the examination provisions herein; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3601.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ogden and others—

**HB 3600**—A bill to be entitled An act relating to election of members of the civil service board of the City of Jacksonville; amending section 19.02 of Chapter 67-1320, Laws of Florida, as amended; providing expiration dates for all civil service board members; providing for election at large of all members at such time as shall be designated by the city council in 1975 and thereafter; providing for a monthly salary, election of a chairman, and minimum quorum requirements; providing a method for filling board vacancies; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3600.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nuckolls and Randell—

**HB 3925**—A bill to be entitled an Act Relating to Lee County schools; authorizing The School Board of Lee County, Florida, to acquire land, construct, enlarge, improve, repair, remodel, equip and furnish schools, school facilities, school administrative facilities, and all necessary appurtenances within the school district of Lee County; authorizing the issuance of revenue bonds, secured by and payable from the portion of the race track funds and jai alai funds accruing annually to Lee County pursuant to the provisions of Chapters 550 and 551, and allocated to the Board, to pay the costs of such projects; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3925.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Grizzle and others—

**HB 3917**—A bill to be entitled An Act to amend Chapter 23214, Acts of 1945, as amended by Section 2, Chapter 28973, Special Acts of Florida, 1953 and by Section 1, Chapter 67-1212, Special Acts of Florida, 1967, relating to pensions for employees of the City of Clearwater, Pinellas County, Florida, to provide that all permanent employees on the City payroll as of the effective date of this Act who are participating in said pension plan and those who have retired under this pension plan since July 1, 1970, may receive credit for the first six months probationary period of employment by written intention to do so within ninety days from the effective date of this Act, which written intention shall be irrevocable when filed with the Trustees of the Pension Plan, and by paying into the Pension Plan an amount equal to the deduction that would have been taken from wages for pension contribution during the first six months of such employee's employment, together with interest compounded annually based on the interest rate of yield for U.S. Treasury Bills for each year from date of employment; to provide that such payments may be made in one sum or by deduction from employee's salary on a plan that will reimburse the plan in full by equal installments within a period not to exceed two years and should the deductions exceed one year, it shall bear simple interest of five per cent per annum; to provide that the employees who have retired since July 1, 1970, shall receive increased pension compensation from date of retirement, provided they have made the affirmative election; to provide that all retired employees under this pension plan who retired prior to July 1, 1970, shall receive credit for their first six months of employment without reimbursement to the Plan; to provide that those employees who were encompassed by the Pension Act of 1945 shall receive credit for the first six months of employment and shall not be required to make contributions for that period; to provide that all employees hired after the effective date of this Act and participating in the Pension Plan shall receive

credit for their first six months of employment, but shall have deducted from their pay that percentage equivalent to the current rate of employee contributions to the Plan; to provide that the board of trustees shall not invest more than five per cent of its assets in the common stock or capital stock of any one issuing company; to provide that no person shall receive any pension under this Act while he is receiving any Workmen's Compensation benefits other than medical payments under the Workmen's Compensation Act; providing for the severability of the provisions hereof; providing for the repeal of all laws in conflict herewith; and providing for the effective date hereof.

Evidence of notice and publication was established by the Senate as to HB 3917.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Spicola and others—

HB 3544—A bill to be entitled An act relating to the City of Tampa, Hillsborough County, and particularly to the Pension Fund for Firefighters and Police Officers of the City of Tampa; authorizing, empowering, and directing the city to enter into supplemental contracts with certain firefighters and police officers to provide for the vesting of pension rights and for a deferred pension after twenty (20) years actual service; extending such benefits to certain employees heretofore separated from service; ratifying the pension contract prescribed by ordinance of the city pursuant to chapter 31310, Laws of Florida, 1955; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3544.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

HB 3918—A bill to be entitled An act relating to Hillsborough County, Division of Children's Services; amending §3 of chapter 69-1144, Laws of Florida, to exclude reference to the county detention homes; amending §5 of chapter 69-1144, Laws of Florida, redefining the types of children to which the Division may provide care and the means by which such care may be provided; amending §6 of chapter 69-1144, Laws of Florida, to delete references to detention home and juvenile home and redefining the types of children to receive care; amending §7 of chapter 69-1144, Laws of Florida, to redefine the types of children regarding whom statistical data are to be compiled; amending §11 of chapter 69-1144, Laws of Florida, as created by chapter 70-711, Laws of Florida, to increase the maximum advisory board membership from twelve to fifteen; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3918.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Redman and others—

HB 3910—A bill to be entitled An act relating to the Hillsborough County environmental protection commission; amending chapter 67-1504, as amended by chapter 73-496, Laws of Florida; providing for inspections in the performance of duties of the director relating to pollution control; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3910.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Redman and others—

HB 3892—A bill to be entitled An act relating to the City of Plant City, Hillsborough County; amending §3 of chapter 13282, Laws of Florida, 1927, of the municipal charter as amended by §2, chapter 31184, Laws of Florida, 1955, chapter 57-1742, Laws of Florida, and chapter 67-1935, Laws of Florida; enlarging and redefining the corporate boundaries; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3892.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Lewis and others—

HB 3890—A bill to be entitled An act relating to Palm Beach County; providing for several countywide building codes for construction; providing for their applicability to municipalities and unincorporated areas; providing for building inspectors; providing for minimum standards; providing for repeal of any conflicting laws; providing for addenda; providing for the availability of building codes and addenda; providing a means of interpretation and regional inspectors; providing for a building code advisory board; providing for application to all construction; providing for the deletion of any provisions that are unconstitutional; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3890.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Fechtel and others—

CS for HB 3222—A bill to be entitled An act relating to the City of Casselberry, Seminole County; amending section 4 of chapter 69-927, Laws of Florida, entitled "An act relating to the City of Casselberry, Florida; to provide that the police officers of the City of Casselberry shall be authorized to arrest, without warrant, in fresh pursuit from inside the corporate limits to outside said limits into Orange County for violation of ordinances of the city or state misdemeanors or felonies committed in the presence of such officer in the corporate limits of said city; providing an effective date.

Evidence of notice and publication was established by the Senate as to CS for HB 3222.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 3203—A bill to be entitled An act relating to Pinellas County; providing for the moneys to reimburse the Upper Pinellas Association of Retarded Children, a tax exempt charitable organization located in Pinellas County, for payment of certain paid ad valorem taxes; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3203.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 4138 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Community Affairs and Representative Harlee—

CS for HB 4138—A bill to be entitled An act creating the Bradenton Downtown Development Authority to plan, construct and maintain public improvements and facilities within the central business district of the City of Bradenton, Florida and contiguous areas; defining the boundaries of the project area; providing for a Board appointed by the mayor of the City and confirmed by the City Council; prescribing the membership terms and offices and duties of the Board; prescribing the powers of the authority; including among other powers, the power to acquire property; including through eminent domain, and to dispose of property; authorizing levying and collection of ad valorem tax in the district for the purpose of this authority, when approved by referendum; to exempt from taxation, all single family dwellings within the district; to borrow money on short term evidence of indebtedness in order to pay



expenses of operation pending collection of taxes; providing for the staff and budget of the authority; granting to the Authority the power of bond financing; providing for the ownership, acquisition, mortgage, lease and disposal of property and facilities, and the furnishing of proprietary services and facilities of all kinds, among them land redevelopment and revitalization, water and sewer systems, waste control, heliport and STOL facilities, communication, cultural, recreational and educational facilities of all kinds, parking facilities, public transportation and utilities, streets, toll roads, and bridges, sidewalks, street lighting and related facilities and other projects and experimental projects by the Authority; authorizing the Authority to advertise; granting the Authority the benefits and privileges of a drainage district and of a special road and bridge district, authorizing the Board to invest idle funds, to enter into sale, lease or other agreements with any agency of the city, county, state and federal governments and authorizing the Authority to construct and furnish proprietary facilities and services to persons and property within the Authority boundaries providing authority to set fees, rentals, tolls, fares and charges, and to make agreements and contracts for services without public hearing and pledge the same as security for Authority bonds; authorizing the Authority to request the City of Bradenton to accept dedications and provide special zoning; providing for the rehabilitation, clearance, redevelopment, revitalization of areas of slum and blight in the downtown, defining the duties, liabilities, exemptions and powers of the Board in undertaking such activities, including the power to amend plans and adopt substitute plans to acquire property through the exercise of the power of eminent domain or otherwise, to dispose of property subject to any restrictions deemed necessary to prevent the development or spread of future blighted areas, to enter into agreements to secure city, county, state and federal aid and comply with conditions imposed in connection therewith; to authorize the Authority to furnish funds, services, facilities and property in aid of renewal projects and to obtain funds therefor by the issuance of obligations, by taxation or otherwise; and to provide that securities issued, and properties held by a public agency hereunder shall be exempt from taxation; making legislative findings of slums and blight and public purpose in the rehabilitation, clearance, redevelopment and revitalization of the downtown as a blighted area (including slums), including the necessity in the public interest of the exercise of eminent domain to assemble and clear land for resale and redevelopment; providing a referendum procedure for approval of the levy of ad valorem taxes and other purposes, providing for notice and balloting by mail, providing for separate voting by residents and taxpayers of the downtown area; providing for the Authority to act as a special tax district when ad valorem taxes have been authorized by referendum, and providing for the levy and collection of such taxes; authorizing the Authority to provide for the construction of assessable improvements; providing for the making of special assessments for the improvements and the procedures to be followed in connection therewith; providing for the collection of special assessments and the foreclosure of delinquent assessments or installments, including acceleration of payment and recovery of attorney's fees and costs; authorizing issuance of assessment bonds and bond anticipation notes; providing for the pledge of taxes, assessments, revenues and other properties as security for the payment of bonds; providing for the lien of pledges of revenues, taxes and assessments; providing for this act and the Authority created hereunder to expire in the year 2020; and providing for a power of veto by the city council; including a legislative finding that notice is adequate; providing severability and an effective date.

Evidence of notice and publication was established by the Senate as to CS for HB 4138.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2255 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Rude and others—

**HB 2255**—A bill to be entitled An act for the relief of the City of Pompano Beach; providing for reimbursement for the

construction of an ocean outfall in reliance on approval by the Florida state board of health; providing an appropriation; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended CS for HB 3266 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Community Affairs and Representative Danahy and others—

**CS for HB 3266**—A bill to be entitled An act relating to the formation of local governments; repealing chapter 165, Florida Statutes, which is the present law relating to the organization and dissolution of municipalities; creating a new chapter 165, Florida Statutes, entitled "Formation of Local Governments", consisting of §165.011 through 165.093, Florida Statutes; providing legislative purpose; providing that the act shall preempt certain general and special laws; providing definitions; providing procedures and criteria for the formation, including creation, incorporation, merger and dissolution, of municipalities and special districts; providing for judicial review by certiorari of certain actions taken pursuant to this act; providing specified powers and duties of the department of community affairs with respect to counties, municipalities, and special districts; authorizing certain studies on local government service delivery by the department; requiring state and local agencies to cooperate with the department in the administration of the act; providing an effective date.

—was read the first time by title and placed on the calendar.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 4011	HB 4066	HB 3363
CS for CS for	CS for HB 2770	
HB 3102		

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Retirement, Personnel & Claims—

**HB 4011**—A bill to be entitled An act relating to state retirement systems; amending and creating various sections of Florida Statutes to clarify, make certain or conform their provisions or otherwise to perfect the apparent legislative intent; creating §121.051(8), Florida Statutes, to limit participation for simultaneous employments and dual memberships; amending Chapter 121, Florida Statutes, 1973, by creating a new section 121.075, providing a method for determining service credit for the retirement systems consolidated in said chapter; amending subsection (4)(a) and (d) of §121.091, Florida Statutes, 1973, clarifying disability retirement date, clarifying eligibility for minimum disability benefits; amending §121.091, Florida Statutes, 1973, by rewording subsection (8), clarifying the designation of beneficiaries and the payment of benefits to such beneficiaries; amending §121.101(2)(c), Florida Statutes, 1973, to require standard benefit to be calculated as for the Florida retirement system; repealing §122.351, Florida Statutes, 1973, which relieves county and local governments of one-half of the retirement and social security matching contributions during the 1967-1969 biennium, now obsolete; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Retirement, Personnel & Claims—

**HB 4066**—A bill to be entitled An act relating to state retirement systems; amending various sections of Florida Statutes to clarify, make certain or conform their provisions or otherwise to perfect the apparent legislative intent; amending



subsection (2) of §121.021, Florida Statutes, 1973, providing that the definition of "existing systems" shall also include the judicial retirement system established by chapter 123; amending subsection (4) of §121.091, Florida Statutes, 1973, by adding two new paragraphs (g) and (h), providing minimum benefits for judges retired on disability upon recommendation of judicial qualifications commission, providing for the transfer of contributions to and the payment of benefits from the general revenue fund for judges who are retired for disability upon recommendation of judicial qualifications commission; amending §§122.02(4), 122.03(2) and (6), 122.05(3), 122.08(9)(a), 122.34(5), 123.03(4) and (5) and 123.07(7)(a), Florida Statutes, 1973, providing for increased interest rates effective July 1, 1975, for the purchase of retirement credit under these chapters, providing that interest on contributions for prior service under chapter 122 be charged only from date of service; amending §122.08(4), Florida Statutes, 1973, correcting the retirement age for persons becoming members on or after July 1, 1963; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

By Representatives Hodes and Sessums—

HB 3363—A bill to be entitled An act relating to the Community Hospital Education Act; renumbering subsections (4) through (9) of §381.503, Florida Statutes, 1973, as subsections (5) through (10), respectively, adding a new subsection (4) and amending the new subsection (9); creating a statewide family practice residency program within the department of education and as part of the Community Hospital Education Act; providing that except for fixed capital outlay matching funds by state and local communities shall not apply during the first three (3) years of an authorized program; providing an appropriation; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committees on Appropriations and Governmental Operations and Representative Sessums and others—

CS for CS for HB 3102—A bill to be entitled An act relating to the state fair; creating the Florida State Fair Authority as an instrumentality of the state; providing for membership of the authority and for gubernatorial appointment with senate confirmation; providing location of fair and offices in the City of Tampa, Hillsborough County; providing powers including power to acquire and dispose of property, and borrow money; authorizing and providing procedure for the issuance of revenue bonds which shall not be a debt of the state; providing for payment of revenue bonds and interest through certain fees and charges; providing for establishment of a trust fund; requiring prior approval by the trustees of the internal improvement trust fund of transfer, lease or encumbrance of land, and providing for an option to purchase; requiring annual report to the governor; providing for tax exemption and for annual audits; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Health & Rehabilitative Services and Representative Gordon—

CS for HB 2770—A bill to be entitled An act relating to voluntary contraceptive sterilization; creating §381.383, Florida Statutes; providing for the voluntary sterilization of specified consenting persons; limiting liability of physicians to negligence; excluding therapeutic sterilization operations; providing an effective date.

—was read the first time by title and placed on the calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 4083  
HB 3888

HB 3285

HB 4149

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative James and others—

HB 4083—A bill to be entitled An act relating to the Lake Worth Downtown Development Authority; amending the "Lake Worth Downtown Development Authority Act," chapter 72-592, Laws of Florida, 1972, granting to the authority the power to acquire property by borrowing money secured by a mortgage for such property; requiring approval by referendum; establishing the limit for such borrowing at one percent (1%) of the total value as assessed by the county tax assessor's office of the property lying within the "downtown area"; deleting the authority to borrow on unsecured notes; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4083.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Craig—

HB 3285—A bill to be entitled An act relating to Flagler County; providing that any governmental board, commission, agency, or other public governmental body in Flagler County may lease, sell, transmit, or convey the title to real or personal property to any other board, commission, agency, or body in the county; providing for adoption of resolutions relating to any such transaction; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3285.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative A. S. Robinson and others—

HB 4149—A bill to be entitled An act relating to Pinellas County; providing a uniform election day for municipal office and straw vote elections in Pinellas County in each odd numbered year; providing election dates and procedures for run off elections; providing for the application of the act to any municipality in the county which adopts the provisions of the act in a referendum.

Evidence of notice and publication was established by the Senate as to HB 4149.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative David Clark and others—

HB 3888—A bill to be entitled An act relating to Palm Beach County; relating to the authority of Palm Beach County to establish an environmental control board; amending chapter 70-862, Laws of Florida, by amending §5(c) to delete references to the department of air and water pollution control, the Federal Water Pollution Control Administration and the United States Public Health Service, and the division of health; amending §6 by providing for appointment of an environmental control officer by the environmental control board after considering recommendations by the county health director; amending §7 to provide for the duties, functions, powers, and responsibilities of the environmental control officer; amending §§10(a), 13(a) and (b) by deleting references to the county solicitor and inserting in place of those references the title of state attorney; amending §17(b) to delete references to the department of air and water pollution control; providing severability; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 3990  
HB 4096

HB 4052  
HB 3080

HB 3469

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Walker—

**HB 3990**—A bill to be entitled An act relating to Collier County authorizing the Board of County Commissioners to enter into agreements for members and employees of the Board of County Commissioners, their dependents and constitutional officers and their employees and their dependents to provide health, accident, hospitalization, and life insurance; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3990.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Andrews and Craig—

**HB 4052**—A bill to be entitled An act relating to the repeal of chapter 29463, laws of Florida; providing for the abolishment of the Putnam County Public Hospital Authority; providing that all assets, real, personal, intangible and otherwise, and all duties and liabilities, tortious, contractual or otherwise of the Putnam County Public Hospital Authority be transferred to the board of county commissioners of Putnam County, Florida; providing that the board of county commissioners shall become and be the successors in interest of all assets, duties, and liabilities of the Putnam County Public Hospital Authority, including but not limited to any and all contractual lease duties and liabilities of the Putnam County Public Hospital Authority; providing that all assets, real, personal, intangible and otherwise shall remain in use and be utilized for health care purposes in Putnam County, Florida; providing that all pledges of revenue or gifts, promised, pledged, granted or otherwise obtained by gift, law or otherwise to the Putnam County Public Hospital shall after transfer to the board of county commissioners of Putnam County, Florida, shall remain in use for health care purposes; providing for an effective date; providing for an effective date of final transfer; providing for the release of and from liability of members of this Putnam County Public Hospital Authority; providing for a saving clause.

Evidence of notice and publication was established by the Senate as to HB 4052.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Nergard and Clem—

**HB 3469**—A bill to be entitled An act relating to St. Lucie County; providing for the apportionment, distribution, and use between the board of county commissioners of St. Lucie County, the district school board of St. Lucie County, and district board of trustees of Indian River Community College, Fort Pierce, of all moneys received by St. Lucie County under provisions of chapter 14832, Laws of Florida, 1931, or any amendment or amendments thereto, or other laws providing for the revenue from licensed race tracks in this state; providing that said moneys shall be paid by the state treasurer on separate warrants drawn by the comptroller to said boards, and restricting the disbursements of the moneys; repealing all laws and parts of laws in conflict herewith; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3469.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Haben and Harlee—

**HB 4096**—A bill to be entitled An act relating to the City of Bradenton; authorizing the city to use prisoners of the County of Manatee on public works; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4096.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tittle—

**HB 3080**—A bill to be entitled An act relating to Monroe County; amending §3 of chapter 73-553, Laws of Florida, relat-

ing to the payment of commissions to the tax assessor and tax collector; removing the provision which provides for the automatic repeal of said chapter; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3080.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended CS for CS for HB 270 (cs) and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committees on Appropriations, Environmental Protection, and Governmental Operations and Representative McKay and others—

**CS for CS for HB 270 (cs)**—A bill to be entitled An act relating to governmental operations and the department of natural resources; transferring the department of pollution control to the department; transferring certain powers, duties, and functions of the division of health of the department of health and rehabilitative services to the department; transferring the board of trustees of the internal improvement trust fund to the department; repealing sections 20.26 and 20.27, Florida Statutes, to abolish the department of pollution control and the board of trustees of the internal improvement trust fund; providing for coordination of transfers by the department of administration; creating the Florida environmental adjudication commission; providing that existing rules and regulations of affected agencies shall remain in force; providing that no existing legal proceedings will be abated; providing for amendment of conflicting nomenclature; providing new powers and duties of the department of natural resources; providing an effective date.

—was read the first time by title and referred to the Committee on Natural Resources and Conservation and Ways and Means.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed—

**HB 3408**

**HB 4175**

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Webb and others—

**HB 3408**—A bill to be entitled An act relating to the "Motor Vehicles Sales Finance Act", under Part I of Chapter 520, Florida Statutes; amending Section 520.03(3), Florida Statutes; to provide that each sales finance company shall pay a license fee of \$50.00 for each principal place of business and an additional fee of like amount for each branch office maintained in this state; and providing that each retail installment seller of motor vehicles shall pay a license fee in the sum of \$25.00 for the principal place of business and for each branch office thereof. However, if a retail installment seller has more than one location located in the same county, only one license fee shall be paid for that county; providing an effective date.

—was read the first time by title and placed on the calendar.

By the Committee on Natural Resources—

**HB 4175**—A bill to be entitled An act to amend section 20.27, Florida Statutes, to add subsection (4) thereto to reorganize the State of Florida board of trustees of the internal improvement trust fund; providing an effective date if environmental agencies are not reorganized.

—was read the first time by title and referred to the Committee on Governmental Operations.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended HB 4009 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Culbreath—

**HB 4009**—A bill to be entitled An act relating to the municipality of St. Leo in Pasco County; amending section 1 of Chapter 67-1989, Laws of Florida, relating to the re-location of the city boundaries; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4009.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2768 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Hodes and Easley—

**HB 2768**—A bill to be entitled An act relating to public health; providing an appropriation for additional cervical cancer screening services by the county health units under the direction of the division of health for females who might not otherwise receive such testing; providing an effective date.

—was read the first time by title and referred to the Committee on Ways and Means.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has adopted HCR 4046 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Sessums and others—

**HCR 4046**—A concurrent resolution urging the department of transportation to expedite construction of Interstate Highways I-75 and I-275, and to place a high priority on the planning and construction of certain portions of the highways known as U.S. 27, State Road 60, U.S. 27A, and certain other roads.

—was read the first time by title and placed on the calendar.

*The Honorable Mallory E. Horne, President* May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed as amended—

HB 4098	HB 3899	HB 3900
HB 4062	HB 4106	

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representatives Nergard and Clem—

**HB 4098**—A bill to be entitled An act relating to St. Lucie County; creating, establishing, and incorporating a special taxing district in the county to be known and designated as St. Lucie County Hospital District; fixing and prescribing the boundaries of the district; providing for the governing and administration of the same; providing and defining the powers and purposes of the district and of the board of trustees thereof; authorizing and empowering the board to establish, construct, purchase, operate, and maintain such hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors as may be conveyed to or established and constructed by the board and the district; authorizing the district to lease, equip, operate, and

maintain hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors owned by others and to contract with any person, firm, corporation or organization for the construction, operation, and maintenance of hospitals, clinics, doctors' clinics, nursing homes, parking facilities, billing and collection services, and other related endeavors in the district; authorizing and providing for the issuance and sale of ad valorem and revenue bonds, and refunding bonds, of the district; authorizing and empowering the board to borrow money on the note or notes of the district; authorizing and providing for the levy and collection of taxes for the payment of the bonds and the interest thereon and for the purchase of certain major equipment of a capital nature; authorizing and providing for the levy of taxes to carry out the purposes of the district as provided in this act; authorizing the district to accept by conveyance any hospitals owned by others; authorizing the district to purchase a hospital or hospitals and hospital equipment owned by others within the district; authorizing and providing generally the powers and duties of the board on its behalf; providing an effective date, and providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Melvin and others—

**HB 3899**—A bill to be entitled An act relating to Okaloosa County, Ocean City-Wright Fire Control District; amending chapter 73-565, Laws of Florida, providing for a referendum election to be held on September 10, 1974, on the levy of an ad valorem tax against taxable real estate in the district for funding of the Ocean City-Wright Fire Control District; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3899.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives J. R. Clark and others—

**HB 3900**—A bill to be entitled An act relating to Polk County; amending section 1 of chapter 69-1503, Laws of Florida; raising funds and providing for the expenditure of such funds for the Polk County Legal Aid Society, Inc.; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 3900.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Johnson and Crabtree—

**HB 4062**—A bill to be entitled An act relating to Sarasota County, South Trail area fire control district; adding §20 to chapter 65-2241, Laws of Florida, as amended; providing that the portion of the district lying on Siesta Key may be assessed up to 1.5 mills for additional fire protection service and .5 mills for additional ambulance and rescue service; providing for a referendum.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Williams—

**HB 4106**—A bill to be entitled An act relating to Bradford County; providing a method of fixing millage; providing that the county, school board, municipalities, and taxing districts shall decrease the millage required of said county, school board, municipalities, or taxing districts in proportion to the increase of the general level of assessed valuation of property; authorizing a ten percent (10%) increase in millage; providing for further millage increases in emergencies subject to limitations and review by the county budget commission; providing for verification of budgets and millage increases; specifying millages to be excluded from the reductions required by this act; requiring local taxing authorities to maintain millage necessary to participate in state funding programs; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed—

CS for HB 4022	HB 4020	HB 4069
HB 4024	CS for HB 4148	CS for HB 4084
HB 4116	CS for HB 4165	HB 4146
HB 4183	HB 4145	HB 4108
HB 4107	HB 4095	HB 4135
HB 4134	HB 4133	HB 4132
HB 4131	HB 4127	HB 4125
HB 4115	HB 4113	HB 4077
HB 4128	HB 3527	HB 4171
HB 4157	HB 4167	HB 4130
CS for HB 4094	CS for HB 4034	

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By the Committee on Community Affairs and Representative Rude and others—

**CS for HB 4022**—A bill to be entitled An act relating to Broward County, amending Chapter 71-561, Laws of Florida, Special Acts of 1971, which created the Broward County transportation authority by amending Section 3 by adding subparagraph (24) defining development sketch; and by amending Section 10, subparagraph (1) to provide for the requirement that development sketches as well as subdivisions of lands meet the right-of-way requirements of the trafficway plan of the Broward County transportation authority; and to provide for the review of plats and development sketches by the Broward County transportation authority.

Evidence of notice and publication was established by the Senate as to CS for HB 4022.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Rude and others—

**HB 4020**—A bill to be entitled An act relating to Broward County, amending Chapter 28940, Laws of Florida, Special Acts of 1953; amending Section 1 of said act to permit the board of county commissioners to budget an amount as determined by said board for the humane society of Broward County and removing the limitation on the amount to be budgeted; providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4020.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Ryals and others—

**HB 4069**—A bill to be entitled An act relating to Hillsborough County; amending §4(2), (6), and (7), chapter 72-564, Laws of Florida, authorizing the Brandon planning and zoning authority to employ a qualified treasurer, collect fees and accept and expend funds, grants, and other moneys and use the services from governmental or private sources; adding subsection (6) to §7, chapter 72-564, Laws of Florida, requiring a person, firm, or corporation proposing to construct, modify, or add to any building or structure within the Brandon area to obtain a zoning permit prior to the issuance of a building permit; providing for reimbursement to Hillsborough County by the authority for expenses; amending §10(1), chapter 72-514, Laws of Florida, requiring Hillsborough County planning commission and engineering department to furnish professional services; clarifying vote required to amend regulations or districts of the authority when not approved by the Hillsborough County planning commission; adding sections 14 and 15 to chapter 72-564, Laws of Florida, requiring the preparation of an annual budget by the authority; providing that funds of the authority will be held and disbursed by a treasurer designated by the authority requiring transfer of fees collected in Brandon area to the authority; repealing §10(4), chapter 72-564, Laws of Florida, relating to the provision of funds for the authority by the Hillsborough County commission; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4069.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative McPherson and others—

**HB 4024**—A bill to be entitled An act relating to Broward County, amending Chapter 67-1169 Laws of Florida, Special Acts of 1967, relating to operation of child care centers; amending section 2 of said act to provide for inspections by health officers without notice; amending section 3 of said act by adding subsection (d) to provide a means for school operators to request a hearing with the Broward County child care center board; amending section 4 of said act to provide for health certificates for operators and employees; amending section 5 of said act to increase the number of staff members per child; amending section 6 of said act to clarify the definition of a half day center to include kindergartens, to require that children have a daily rest period, to revise the outdoor play space requirements for certain schools, to provide standards for safe care of pets, to provide for a required water fountain, to require minimum artificial lighting and sanitary standards in bathrooms, and to require minimum artificial lighting in certain places; amending section 8 of said act to provide for adoption of chapter 10D-13 of the sanitary code of Florida, entitled "food service", require a designated cook, posting of a weekly menu and periodic mealtime inspection in certain schools; amending subsection (g) of section 12 of said act to provide for minimum classroom temperatures; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4024.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Kiser and others—

**CS for HB 4148**—A bill to be entitled An Act repealing Chapter 69-1487, Special Acts of Florida, 1969, relating to Pinellas County Purchasing Department; providing an effective date.

Evidence of notice and publication was established by the Senate as to CS for HB 4148.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Lewis and others—

**CS for HB 4084**—A bill to be entitled An act relating to Palm Beach County, Port of Palm Beach District; amending, supplementing and repealing certain sections of chapter 7081, Laws of Florida, 1915, creating a special taxing district in Palm Beach County, Florida, then known as the Lake Worth Inlet District, and all acts supplementary and amendatory thereto, including chapter 7522, Laws of Florida, 1917; chapter 8800, Laws of Florida, 1921; chapter 9993, Laws of Florida, 1923; chapters 10756 and 11694, Laws of Florida, 1925; chapter 12074, Laws of Florida, 1927; chapter 13685, Laws of Florida, 1929; chapter 14753, Laws of Florida, 1931; chapter 17089, Laws of Florida, 1935; chapters 18766, 18771 and 18772, Laws of Florida, 1937; chapter 26108, Laws of Florida, 1949; chapters 27800, 27801 and 27805, Laws of Florida, 1951; chapters 29391 and 29393, Laws of Florida, 1953; chapters 31126 and 31129, Laws of Florida, 1955; chapters 57-1685, 57-1695 and 57-1696, Laws of Florida; chapters 59-905 and 59-1701, Laws of Florida; chapter 61-2632, Laws of Florida; chapter 67-1879, Laws of Florida; and chapter 72-635, Laws of Florida, with said amendments, supplements and repealing provisions of the aforesaid special acts, providing for the operation and maintenance of the Port of Palm Beach District, in the County of Palm Beach, and providing therein, the definition of its territorial boundaries, and providing for its government, jurisdiction, powers, franchises, and privileges; designating the number of commissioners of said district and providing for their election by the qualified voters in said district, further specifying their organization, compensation, qualifications, and terms of office of said commissioners; providing for the jurisdiction of the Port of Palm Beach District, its powers and duties; authorizing a tax levy to provide for its

operation; authorizing the issuance of debentures to provide for financing projects of said authority; providing for the issuance of revenue certificates, general obligation bonds and refunding bonds by said district; providing for the acquisition of property by the district, by grants, purchase, gift, devise, condemnation by eminent domain proceedings, exchange or otherwise; providing for the sale of assets of said district; providing for the handling and disposition of the funds and revenues by said district; providing for the awarding of contracts and purchases; providing for the exemption of the property of the district from taxation; providing for the promotion, regulation and development of the facilities and services of the district; providing for the borrowing of money by the district; providing for the employment of a port manager and other employees and consultants of the district; providing for the appointment of port harbor masters; providing for the publicizing and advertisement of the port facilities; providing for the investment of the funds belonging to the district; providing that all special acts in conflict with this act shall be repealed; providing that all general acts now or hereinafter enacted by the Legislature of the State of Florida, that are not in limitation of the powers, privileges and franchises granted herein, shall be construed to be an alternative and supplementary method available to the governing body of said district; providing an effective date.

Evidence of notice and publication was established by the Senate as to CS for HB 4084.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tillman—

HB 4116—A bill to be entitled An act relating to Charlotte County; amending §§1(b), 3(b) and 4(b) of chapter 65-1355, Laws of Florida, and adding §§2(c)(3) and (3)(e) to said chapter; changing the boundaries of and adding additional territory to the Port Charlotte-Charlotte Harbor Fire Control District; providing for a limitation on the appointment of commissioners; increasing the salary of the treasurer of the district; providing for the appointment of officers by the chairman in case of a vacancy; changing the rate of assessments; providing for a referendum; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4116.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Walker—

CS for HB 4165—A bill to be entitled An act creating Pelican Bay Improvement District, in Collier County, Florida, providing for water management and control systems, and water and sewage facilities; providing for the management of the affairs of the district by a board of supervisors; providing for the powers and duties of the board of supervisors to carry out the purposes of the district; providing for the assessment and collection of benefit taxes, maintenance taxes and ad valorem taxes, authorizing the issuance of obligations of the district to finance the construction and operation of the works and projects of the district; providing for adopting and completing water management and control plans; authorizing the establishment of charges for the facilities and services of the district; providing for the enforcement of the provision of the act or the rules adopted hereunder; and providing for an effective date.

Evidence of notice and publication was established by the Senate as to CS for HB 4165.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Wilson and others—

HB 4146—A bill to be entitled An act relating to Pinellas County; requiring as a condition precedent to the approval of any plats, development site plan, request for a zoning change pertaining to residential zoning, of five or more acres, a notification to the school board; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4146.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Walker—

HB 4183—A bill to be entitled An act relating to the Clam Bay Water and Sewer District in Collier County, repealing Chapter 73-438, Laws of Florida, to abolish said district; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4183.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Kiser and others—

HB 4145—A bill to be entitled An Act relating to street-lighting districts in the unincorporated areas of Pinellas County; repealing Chapter 70-899, Laws of Florida, which provides for the establishment and maintenance of street-lighting districts in the unincorporated areas of Pinellas County; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4145.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tittle—

HB 4108—A bill to be entitled An act relating to the Monroe County mosquito control district; amending §2(1), (2), and (3) of chapter 67-1726, Laws of Florida; providing for corrections in the description of the division of the districts of the Monroe County mosquito control district; amending §5 of chapter 67-1726, Laws of Florida, increasing the borrowing authority of the board of commissioners from one hundred thousand dollars (\$100,000) to one hundred fifty thousand dollars (\$150,000); amending §7 of chapter 67-1726, Laws of Florida, authorizing the board of commissioners to establish the salaries of the district commissioners, chairman, and secretary of the board, and providing for the payment of ten cents (10¢) per mile as well as twenty dollars (\$20) per day to each commissioner for mileage for official travel and for attendance at each commission meeting; repealing all laws and parts of laws, whether general or special, in conflict with this act to the extent of such conflict; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4108.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

HB 4107—A bill to be entitled An Act establishing a task force for the study and design of an emergency medical service program in Pinellas County; providing for membership; providing for duties; providing for funding; providing for implementation of an emergency medical service program; providing for an effective date.

Evidence of notice and publication was established by the Senate as to HB 4107.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Haben and Harlee—

HB 4095—A bill to be entitled An act relating to Manatee County, Florida; amending sub-paragraph (4) under the first paragraph of Section 5 of Chapter 67-1681, Laws of Florida, Special Acts of 1967 by providing a covenant on the part of the Legislature that it will not enact any law which will repeal, impair or amend the rights of the holders of bonds issued under the authority of Chapter 67-1681, Laws of Florida, Special Acts of 1967.

Evidence of notice and publication was established by the Senate as to HB 4095.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Dixon and others—

**HB 4135**—A bill to be entitled An act relating to the Jacksonville Electric Authority; amending Chapter 67-1569, Laws of Florida, as amended; providing for notice of and public hearing on the fixing of rates by the authority; authorizing contracts not to exceed a twenty (20) year term for the procurement of fuel but requiring prior approval of the council of the city for certain contracts amending the contracting and purchasing procedures of the authority to permit acceptance of multiple low bids and dissimilar low bids under certain conditions; exempting from bid provisions the procurement of fuel when reasonably procurable only through negotiation; exempting from bid provisions products and services necessary for nuclear powered generation facilities; exempting from bid provisions the procurement of fuel in the spot market; requiring approval of the purchases under the bid exemptions by the chief purchasing officer of the City of Jacksonville; providing a termination for the amendments to the contracting and purchasing procedures of the authority; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4135.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

**HB 4134**—A bill to be entitled An Act relating to Pinellas County; providing for legislative intent; providing for the hiring of a consultant to draw up proposed county-wide subdivision regulations, zoning regulations and a master drainage plan; providing for implementation; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4134.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Easley and others—

**HB 4133**—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County solid waste disposal task force; providing the task force shall develop a workable plan of consolidated solid waste disposal on a county-wide basis and submit such plan to the members of the Legislature from Pinellas County; providing for periodic reports and for a final report; providing for the membership, appointment, terms, organization, duties and powers of the task force; providing an appropriation directing the Board of County Commissioners to provide certain services for the use of the task force; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4133.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Grizzle and others—

**HB 4132**—A bill to be entitled An Act relating to Pinellas County, creating the Pinellas County Sanitary Sewage Treatment task force; providing the task force shall develop a workable plan of consolidated sanitary sewage treatment on a county wide basis and submit such plan to the members of the Legislature from Pinellas County, and the Board of County Commissioners; providing for periodic reports and for a final report; providing for the membership, appointment, terms, organization, duties and powers of the task force; providing certain services for the use of the task force; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4132.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Dixon and others—

**HB 4131**—A bill to be entitled An act amending section 11 of Chapter 67-1569, Laws of Florida, to permit the Jackson-

ville Electric Authority to contract for the acquisition and construction of nuclear powered or other large generation plants and facilities when revenue certificates or bonds to finance the cost thereof have been authorized and validated, and to permit said revenue certificates or bonds to be sold in installments as funds are needed to make payments under any such contract; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4131.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Crane and others—

**HB 4127**—A bill to be entitled An act relating to Pinellas County; repealing Chapter 72-659, Laws of Florida, in Sections 23, 24, 25 and 26, Township 31 South, Range 16 East, and in Sections 19, 20, 29 and 30, Township 31 South, Range 17 East, Pinellas County, which provided for approval by referendum prior to putting into effect any community redevelopment project set forth in Chapter 163, Florida Statutes, and providing alternative methods; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4127.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Grizzle and others—

**HB 4125**—A bill to be entitled An Act relating to Pinellas County; providing for legislative intent; providing for hiring a consultant firm to design a civil service system for Pinellas County constitutional officers and county government; providing for approval by constitutional officers and county commissioners; providing for implementation; providing for repeal, upon implementation, of previous civil service systems; providing for severability; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4125.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tillman—

**HB 4115**—A bill to be entitled An act relating to Charlotte County; amending §§3(b) and 4(b), chapter 69-931, Laws of Florida, and adding §3(d) to said chapter; increasing the salary of the treasurer of the Harbour Heights Fire Control District; providing for the appointment of officers by the chairman in case of a vacancy; changing the rate of assessments; providing for a referendum; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4115.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Richmond and others—

**HB 4113**—A bill to be entitled An act relating to Pinellas County; amending subsection (1) of section 3, Chapter 73-594, Laws of Florida, providing for an additional member on the Pinellas Planning Council by giving Tarpon Springs, Oldsmar and Safety Harbor a rotating member; providing terms; amending subsection (4) of section 4, Chapter 73-594, Laws of Florida, changing the number of members necessary to constitute a quorum; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4113.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4077**—A bill to be entitled An act relating to the City of Tampa; abolishing the elective office of city clerk of the City of Tampa; creating the office of an appointive city clerk; providing for qualifications, term of office, appointment and re-



moval; providing powers, duties, and compensation; providing for the present city clerk to remain in office until October 1, 1975; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4077.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Reynolds and others—

**HB 4128**—A bill to be entitled An act relating to Broward County; amending the charter of the City of Coral Springs, chapter 63-1248, Laws of Florida, as amended in 1965, 1969, and 1971; extending the territorial limits and boundaries of said city; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4128.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Poorbaugh—

**HB 3527**—A bill to be entitled An act relating to Martin County; prohibiting persons fishing on the ocean beaches of Martin County from using more than two (2) fishing poles; providing for a penalty for violation.

Evidence of notice and publication was established by the Senate as to HB 3527.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representatives Richmond and Culbreath—

**HB 4171**—A bill to be entitled An act relating to Pasco County; creating the Anclote Key County Park; requiring Pasco County to develop the area along specified lines; directing the county to appropriate funds for the purpose of developing the park; providing for a referendum election.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Tillman and others—

**HB 4157**—A bill to be entitled An act to amend section 8 of Chapter 61-2232, Laws of Florida, Special Acts of 1961, as amended by Chapter 72-553 Laws of Florida, Special Acts of 1972, by deleting said section 8 as originally written and amended and inserting in lieu thereof a new section providing for authority to the board of commissioners of Highlands County Hospital District to borrow money, to secure the re-payment thereof by execution of promissory notes and mortgages; establishing a maximum rate of interest that the board may pay and fix the term within which said loans shall be repaid and to pledge as security for said loans any of the district's real or personal property or any monies accruing, or to accrue, to it from any source including revenue derived from operation of said hospital and payments due or to become due from any other fund legally available to the district; to provide that the aggregate amount of principal so borrowed upon the notes and mortgages of said district shall not at any one time exceed the sum of seven hundred fifty thousand (\$750,000.00) dollars; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4157.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Martinez and others—

**HB 4167**—A bill to be entitled An act relating to the Hillsborough County zoning board of adjustment; amending §7 of chapter 24592, Laws of Florida, 1947, as amended; providing that the board of county commissioners shall appoint the board of adjustment; providing for removal for cause of board of adjustment members by the board of county commissioners; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4167.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By Representative Smith and others—

**HB 4130**—A bill to be entitled An act relating to Duval County, Florida, community education program; providing a method for delegation of school board powers and duties as defined in the Florida community school act of 1970, as amended; providing for continuing relationship with State of Florida department of education; providing an effective date.

Evidence of notice and publication was established by the Senate as to HB 4130.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representative Hutto—

**CS for HB 4094**—A bill to be entitled An act relating to Panama City, Bay County; establishing the Panama City downtown improvement board as a body corporate; prescribing the boundaries of the downtown area and the method of changing those boundaries; prescribing the number, qualifications, term, and methods of appointment and removal of members; providing for filling vacancies in office, for service without compensation, for reimbursement of expenses, for bonding, and for personal liability in certain instances; providing for bylaws and internal governance of the board; prescribing its functions and powers, including powers to acquire, own, lease, and dispose of property; requesting the City of Panama City to exercise its eminent domain power for public purposes; providing for issuing, selling and providing security for revenue certificates; providing for borrowing of moneys; fixing, regulating, and collecting rates and charges; providing for maintenance of offices; providing for employment and prescribing the duties, authority, tenure, compensation, and expense reimbursement of a director and other staff; providing for the exercise of all necessary incidental powers; providing for the city to levy in each fiscal year an ad valorem property tax of not more than three (3) mills on nonhomestead property to finance board operations; providing for assessment and collection thereof by the county; requiring maintenance of records, budget and fiscal control; forbidding participation on behalf of the board by personnel financially interested in the matter involved; providing for succession by the city to the property and certain functions of the board if it ceases to exist or operate; regulating issuance of board revenue certificates and providing for validation of bonds; prescribing scope of this act; providing for a referendum election; specifying policy as to who is eligible voter and clarifying intent as to millage limitation; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.

By the Committee on Community Affairs and Representatives Nergard and Poorbaugh—

**CS for HB 4034**—A bill to be entitled An act relating to Martin County; creating the City of Jensen Beach in Martin County; establishing the territorial boundaries of the city; providing a form of government; providing powers and duties of the city; providing election procedures for the mayor and the city council; providing for membership of the city council; providing powers and duties of the mayor; providing the council with certain municipal planning powers; providing for a judiciary; providing a procedure for the adoption of ordinances and resolutions; establishing the fiscal year; providing financial procedures; providing initiative procedures for adoption of ordinances by the electors; providing referendum procedures for ordinances; providing for the recall of elected officials; providing procedures for amendment of the charter; providing procedure for the first municipal election; preserving ordinances and resolutions in effect for unincorporated area; providing for a referendum; providing an effective date.

—was read the first time by title and referred to the Committee on Rules and Calendar.



*The Honorable Mallory E. Horne, President*

May 27, 1974

I am directed to inform the Senate that the House of Representatives has passed HB 2609 and requests the concurrence of the Senate.

*Allen Morris, Clerk*

By Representative Johnson—

HB 2609—A bill to be entitled An Act relating to mutual trust investment companies; amending chapter 660, Florida Statutes, by adding thereto new sections to be designated as sections 660.15 to 660.23, Florida Statutes; providing for the formation and operation of mutual trust investment companies under the supervision of the Department of Banking and Finance and providing for investment by corporate fiduciaries in shares of such companies; specifying the method for incorporating; providing corporate powers; specifying the powers of the Department of Banking and Finance with respect to said companies; specifying exemptions from certain statutes of this state; providing a severability clause; and providing an effective date.

—was read the first time by title and placed on the calendar.

On motion by Senator Williams, the Senate reconsidered the vote by which—

SB 716—A bill to be entitled An act relating to the department of general services; amending §20.22(2), Florida Statutes, establishing the division of administration of the department of general services; providing an effective date.

—as amended passed on May 27.

Senator Williams moved the following title amendment which was adopted:

Amendment 3—On page 1, line 7, after the semi-colon insert: amending §20.05(1), Florida Statutes, authorizing heads of departments to delegate powers, duties and functions;

On motion by Senator Williams, SB 716 as further amended was read by title, passed and ordered engrossed. The vote was:

Yeas—28

Brantley	Gruber	Plante	Trask
Childers	Henderson	Poston	Vogt
Deeb	Johnson	Saylor	Ware
de la Parte	Lane (23rd)	Scarborough	Williams
Firestone	Lewis	Sims	Wilson
Gallen	McClain	Smathers	Winn
Gillespie	Peterson	Sykes	Zinkil

Nays—None

By unanimous consent Senators Johnston and Graham were recorded as voting yea.

*The Honorable Mallory E. Horne, President*

May 24, 1974

I am directed to inform the Senate that the House of Representatives has passed with amendments—

By the Committee on Transportation and Senator Sims and others—

CS for SB 79—A bill to be entitled An act relating to land transactions; providing that persons or entities holding real property in any form of representative capacity shall make a written public disclosure of every person having a beneficial interest in the real property, however, small or minimal, before the real property held in representative capacity is sold or leased, taken by eminent domain or otherwise conveyed to the state or to any local governmental unit or agency of either; providing notice of persons required to make disclosure; providing exemptions; providing severability; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

Amendment 1—On page 1, line 19, strike everything after the enacting clause and insert the following: Section 1. Neither the state, a county, municipality, or special district nor any of the departments, agencies, bureaus, commissions, or officers thereof shall enter into any contract, lease, or agreement, nor shall they agree to the settlement of any litigation whether pending or threatened, nor shall they enter into any agreement involving economic or legal benefit, nor shall they grant variances in zoning codes to any:

(1) Trust, whether operating under the provision of chapter 691, Florida Statutes, or otherwise, except upon a public disclosure by the trust of the names and current addresses of each beneficiary of the trust then having a beneficial interest in such trust; provided, however, in the event the trust has in excess of fifty (50) beneficiaries, the trust shall not be required to disclose the names and current addresses of any beneficiary having less than a five percent (5%) beneficial interest in such trust.

(2) Business entity or enterprise operating under a fictitious name, partnership or limited partnership, except upon public disclosure by such entity or enterprise of the names and current addresses of all those having an interest in the entity or enterprise and the extent of the interest on each.

(3) Corporation not registered pursuant to chapter 517, Florida Statutes, or the federal securities exchange commission, except upon public disclosure by such corporation of the names and current addresses of all shareholders in the corporation.

(4) Any person or entity holding property in any form of representative capacity whatsoever for others, except as otherwise provided in this act, except upon public disclosure of the name and address of every person having financial or legal interest in the property held in representative capacity.

Any contract or written agreement executed in the absence of such a public disclosure or executed following negotiations at which such public disclosure was withheld or was materially incomplete or false is declared to be voidable within one (1) year from the date of execution of such contract or agreement at the option of the state, county, municipality, special district, or other appropriate public contracting party. On or before the expiration of said one (1) year period the state, county, municipality, special district, or other appropriate public contracting party shall furnish all persons who have entered into any such contract or agreement with a certificate, in recordable form, stating that the contract or agreement or has not been voided, as the case may be, and in the event that any such contract or agreement affects real estate or has been recorded or filed in any public office of this state, then, in either event, said certificate shall be recorded by the state, county, municipality, special district or other appropriate public contracting party in the public records of the county in which such real estate is located or recorded or filed in the public office in which the original contract or agreement was recorded or filed. In the event that the state, county, municipality, special district, or other appropriate public contracting party shall fail to record or file said certificate as provided herein within said one (1) year period, it shall be conclusively presumed that the state, county, municipality, special district, or other appropriate public contracting party did not, within the time permitted, exercise its option to void such contract or agreement.

Section 2. Any trust, business entity, enterprise, or corporation subject to the provisions of section 1 which conveys to a third party any interest which is subject to a contract, lease, or agreement with any public agency as set forth in section 1, shall, pursuant to such conveyance, provide the third party with an affidavit acknowledged under oath that the public disclosure provisions of this act were fully complied with. Any person who makes a false affidavit under the provisions of this act is guilty of perjury and shall be subject to punishment as provided by §837.01, Florida Statutes.

Section 3. The disclosures required by this act shall not be required to be given by financial institutions regulated by the government of any state or the federal government when such financial institutions receive deposits, issue evidence of indebtedness therefor, or otherwise transact normal banking activities with the state, a local governmental unit or agency of either, nor shall such disclosures be required for the purchase of commodities when the purchase price thereof is less than one thousand dollars (\$1,000).

Section 4. Public disclosures made pursuant to the requirements of this act shall be made under oath, subject to the penalties prescribed for perjury, by the trustee or by the responsible officer of the business entity prior to the completion of any transaction with the state, a local governmental unit or an agency of either. The disclosure shall be made to the state or to the local governmental unit, or agency of either with which the transaction is made. Disclosures shall be made at the time of entry into agreement, except that in the case of an eminent domain taking, such disclosure shall be made within forty-eight (48) hours after the time when the required sum is deposited in the registry of the court. The state, local governmental unit or agency of either shall send written notice by registered mail to the person required to make disclosures required by this act prior to entering into a contract or written agreement, or prior to depositing the required sum into the registry of the court in eminent domain proceedings, which written request shall also inform the person required to make such disclosure that such disclosure must be made under oath, subject to the penalties prescribed for perjury.

Section 5. It is declared to be the legislative intent that, if any section, subsection, clause, or provision of this act is held invalid, the remainder of the act shall not be affected.

Section 6. This act shall take effect upon becoming a law.

**Amendment 2**—Strike the entire title and insert the following: A bill to be entitled An act relating to public business; requiring trusts, fictitious name enterprises, partnerships or limited partnerships, persons or entities holding property in any form of representative capacity whatsoever for others, and certain corporations to disclose their beneficiaries, parties in interest, persons having beneficial interest, and shareholders, respectively, pursuant to executing contracts and agreements with state or local agencies or being granted variances in zoning codes; providing for voidability of contracts in violation; providing a time limit to assert voidability; requiring affidavits of disclosure upon conveyance of interests; providing a penalty; providing certain exemptions; providing that the trustee or responsible officer of the business entity shall make required disclosure under oath; providing notice to person required to make disclosure; providing severability; providing an effective date.

Senator Poston moved that the Senate concur in House amendment 1 to CS for SB 79 and the motion failed.

On motion by Senator Poston, the Senate refused to concur in House amendment 2 to CS for SB 79.

On motion by Senator Poston the House was requested to recede from House amendments 1 and 2 to CS for SB 79 and in the event the House refused, a Conference Committee was requested to adjust the differences. The action of the Senate was certified to the House.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has refused to recede from House Amendment to CS for SB 892 and acceded to the request of the Senate for a Conference Committee. The Speaker has appointed Representatives Hector, Harris, MacKay, Crabtree, Kiser, with Andrews & Boyd as alternates as the Conferees on the part of the House.

*Allen Morris, Clerk*

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate amendments D and F to House amendment to Senate Amendment C to House amendment 1 to SB 277 and requests the Senate to recede.

In the event the Senate refuses to recede, a Conference Committee is requested. The Speaker has appointed Representatives Baumgartner, Grizzle, and Gordon as House Conferees.

By Senator Myers and others—

SB 277—A bill to be entitled An act relating to health and rehabilitative services; requiring licenses for child care facilities;

ties; providing a short title; establishing legislative intent; providing definitions; establishing licensing standards and providing for legislative review; providing for issuance, renewal and revocation of licenses; providing for provisional licenses; providing for consultation services; providing for hearings upon denial or revocation of licenses; providing for inspection by the department; providing for exemptions; providing an effective date.

*Allen Morris, Clerk*

**House Amendment (1)**—On page 1, lines 20—29, strike everything after the enacting clause and insert the following:

Section 1. Legislative intent and declaration of purpose and policy.—It is the legislative intent to protect the health, safety, and well-being of the children of the state. Toward that end, it is the purpose of this act to establish statewide minimum standards for the care and protection of children in child care facilities, to insure maintenance of these standards, and to approve county administration and enforcement to regulate conditions in such facilities through a program of licensing. It shall be the policy of the state to insure protection of children under care in child care facilities, and to encourage and assist in the improvement of child care programs.

Section 2. Definitions.—As used in this act:

Nothing in this act shall give any governmental agency jurisdiction or authority to regulate, supervise or in any way be involved in any church school curriculum or Sunday School program.

(1) "Department" means the department of health and rehabilitative services.

(2) "Secretary" means the secretary of the department of health and rehabilitative services.

(3) "Child care" means the care, protection, and supervision of a child for a period of less than twenty-four (24) hours a day on a regular basis which supplements for the child, in accordance with his individual needs, daily care, enrichment opportunities, and health supervision and where a payment, fee or grant is made for care.

(4) "Child care facility" includes any child care center or child care arrangement that provides child care for more than five (5) children unrelated to the operator and which receives a payment, fee or grant for any of the children receiving care, wherever operated, and whether or not operated for profit, except that the following are not included: public schools and nonpublic schools which are in compliance with the compulsory school attendance law, chapter 232, Florida Statutes; summer camps having children in full-time residence; summer day camps; and Bible schools normally conducted during vacation periods.

(5) "Family day care home" means an occupied residence in which day care is regularly provided for no more than five (5) pre-school children and elementary school children from more than one unrelated family including pre-school children living in the home and pre-school children received for day care who are related to the resident caregiver. Elementary school siblings of the pre-school children received for day care may also be cared for outside of school hours provided the total number of children including the caregiver's own and those related to her does not exceed ten (10).

(6) "Operator" means any person ultimately responsible for the overall operation and administration of a child care facility, whether or not he is the owner.

(7) "Local licensing agency" means any agency or individual designated by the county to license child care facilities.

Section 3. Child care advisory council.—

(1) As of July 1, 1974, there is created within the department a child care advisory council to be appointed by the secretary.

(2) This body shall be composed of fifteen members as follows:

(a) Five (5) parents, three (3) of whom shall have children eligible for care in child care facilities;

(b) Five (5) owners and operators of child care facilities, one (1) representing public facilities; and four (4) representing private facilities;

(c) Five (5) members to be representatives of agencies and groups concerned with child care and related services.

(3) The secretary, in appointing representatives to the advisory council, shall take cognizance of the broad range of expertise, experience, and concern throughout the state and shall make every effort to assure that the council membership shall be representative of the total child care spectrum.

(4) All members of the council shall serve terms of three (3) years except that, at the time of the first appointment, five (5) members shall serve for one (1) year, five (5) members shall serve for two (2) years, and five (5) members shall serve for three (3) years. In the case of vacancy, the secretary shall appoint a representative to serve the remainder of the unexpired term. A council member may serve two (2) terms.

(5) Members of the council shall receive no compensation but shall be reimbursed for per diem and travel expenses by the department in accordance with the provisions of section 112.061, Florida Statutes.

(6) The advisory council shall supersede, replace and assume the duties of any other child care advisory body within the department.

#### Section 4. Duties of the council.—

(1) The child care advisory council shall assist the department in the preparation of state minimum standards for the establishment and operation of child care facilities by January 1, 1975, and shall advise the department in setting up any rules and regulations to carry out the provisions of this act.

(2) All procedures for the adoption of state minimum standards and rules and regulations shall be in conformance with chapter 120, Florida Statutes. In addition, prior to the adoption of minimum standards the council shall hold at least four (4) hearings geographically located around the state with emphasis given to the participation of child care operators and parents.

(3) After minimum standards have been developed and approved the advisory council shall meet at least semi-annually.

(4) The advisory council shall review all standards, rules and regulations, and procedures at least once every three (3) years and recommend changes as appropriate.

Section 5. Licensing standards.—The state minimum standards shall be designed to protect the health, sanitation, safety, and well-being of all children under care by ensuring competent personnel, adequate physical surroundings, and healthful food. All standards established under this act shall be in accordance with the appropriate minimum standards used by the state fire marshal for child care facilities. The minimum standards for child care facilities shall include the following areas:

(1) **PERSONNEL.**—Minimum standards for child care personnel, whether employees or volunteers, which shall include minimum age requirements, periodic health examinations, minimum levels of training in first aid, and ratios of personnel to children.

(2) **PHYSICAL FACILITIES.**—Minimum standards for building conditions, indoor play space, outdoor play space, napping space, bathroom facilities, food preparation facilities, outdoor equipment and indoor equipment.

(3) **SANITATION AND SAFETY.**—Minimum standards for sanitary and safety conditions, first aid treatment, and emergency procedures.

(4) **NUTRITIONAL PRACTICES.**—Minimum standards for the provision of meals and/or snacks of a quality and quantity to assure that the nutritional needs of the child are met.

(5) **ADMISSIONS AND RECORD KEEPING.**—Requirements for preadmission and periodic health examinations, requirements for immunizations, requirements for maintaining emergency information and health records on all children. Any child shall be exempt from medical or physical examination, or medical or surgical treatment, upon written request of the parent or guardian of such child who objects to the examination and treatment on religious grounds; provided, however, that the

laws, rules and regulations relating to contagious or communicable diseases and sanitary matters shall not be violated.

#### Section 6. Designation of licensing agency.—

(1) Any county whose licensing standards meet or exceed state minimum standards may:

(a) designate a local licensing agency to license child care facilities in the county; or

(b) contract with the department to delegate the administration of state minimum standards in the county to the department.

(2) Child care facilities in any county whose standards do not meet or exceed state minimum standards shall be subject to licensing by the department under state minimum standards.

#### Section 7. Approval of licensing agency.—

(1) Within thirty (30) days after the promulgation of state minimum standards, each county shall provide the department with a copy of its standards if they differ from the state minimum standards. At the same time, each county shall provide the department with the administrative procedures it intends to use for the licensing of child care facilities.

(2) The department shall have the authority to determine if local standards meet or exceed state minimum standards. Within sixty (60) days after the county has submitted its standards and procedures, the department shall, upon being satisfied that standards required by this act have been met, shall approve the local licensing agency.

(3) Approval to issue licenses for the department shall be renewed annually. For renewal, the local licensing agency shall submit to the department a copy of the licensing standards and procedures applied and an on-site review may be made if deemed necessary by the department.

(4) If, following an on-site review, the department finds the local licensing agency is not applying the approved standards, the department shall report the specific violations to the county commission of the involved county who shall investigate the violations and take whatever action necessary to correct them.

(5) Licensing of child care facilities, either by a local licensing agency or the department under the provisions of this act shall become effective as of July 1, 1975. Those licensing procedures in operation shall continue until that date.

(6) To insure that accurate statistical data are available, each local licensing agency shall report annually to the department the number of child care centers under its jurisdiction, the number of children served, the ages of children served, and the number of revocations or denials of licenses.

#### Section 8. Issuance of license.—

(1) **ANNUAL LICENSING.**—After July 1, 1975, every child care facility in the state shall have a license which shall be renewed annually.

(2) **STATE ADMINISTRATION OF LICENSING.**—In any county in which the department has the authority to issue licenses the following procedures shall be applied:

(a) Application for a license or for a renewal of a license to operate a child care facility shall be made in the manner and on the forms prescribed by the department.

(b) Prior to the renewal of a license, the department shall re-examine the child care facility, including in that process the examination of the premises and those records of the facility as required under Section 5 of this act to determine that minimum standards for licensing continue to be met.

(c) The department shall coordinate all inspections of child care centers. A child care facility is not required to implement a recommendation of one agency that is in conflict with a recommendation of another agency if such conflict arises due to uncoordinated inspections. Any conflict in recommendations shall be resolved by the secretary of the department within fifteen (15) days after written notice that such conflict exists.

(d) The department shall issue or renew a license upon being satisfied that all standards required by this act have been met.

(3) **LOCAL ADMINISTRATION OF LICENSING.**—In any county in which there is a local licensing agency approved by the department the following procedures shall apply:

(a) Application for a license or for renewal of license to operate a child care facility shall be made in the manner and on the forms prescribed by the local licensing agency.

(b) Prior to the renewal of a license, the agency shall re-examine the child care facility, including in that process the examination of the premises and records of the facility as required in Section 5 of this act to determine that minimum standards for licensing continue to be met.

(c) The local agency shall coordinate all inspections of child care facilities. A child care facility is not required to implement a recommendation of one agency that is in conflict with a recommendation of another agency if such conflict arises due to uncoordinated inspections. Any conflict in recommendations shall be resolved by the county commission or its representative within fifteen (15) days after written notice that such conflict exists.

(d) The local licensing agency shall issue a license or renew a license upon being satisfied that all standards required by this act have been met.

#### Section 9. Provisional license.—

(1) The local licensing agency or the department, whichever is authorized to license child care facilities in a county, may issue a provisional license to applicants for a license or to licensees who are unable to conform to all the standards as provided for in this act.

(2) No provisional license may be issued unless the operator makes adequate provisions for the health and safety of the child and unless the local licensing agency or the department finds that a need exists for the services offered by the child care facility.

(3) The provisional license shall in no event be issued for a period in excess of one (1) year and shall not be subject to renewal.

(4) The provisional license may be suspended if periodic inspection made by the local licensing agency or the department indicates that insufficient progress has been made toward compliance.

#### Section 10. Hearings upon denial or revocation of license.—

(1) When the department or local licensing agency, whichever is applicable, has reasonable cause to believe that grounds for the denial or revocation of a license exist, it shall notify the applicant or licensee in writing stating the grounds upon which the license is being denied or revoked. If the applicant or licensee makes no written request for a hearing to the local licensing agency or the department, whichever is applicable, within fifteen (15) days from receipt of such notice, the license shall be deemed denied or revoked.

(2) If a request for a hearing is made to the local licensing agency, a hearing shall be held within thirty (30) days and shall be conducted by an individual designated by the county commission.

(3) An applicant or licensee shall have the right to appeal a decision of the local licensing agency or the department to a representative of the department. A hearing shall be held in the county in which the child care program is being operated or is to be established. The hearing shall be conducted in accordance with the provisions of part I of chapter 120, Florida Statutes.

**Section 11. Inspection.**—A licensed child care facility shall accord to the department or the local licensing agency, whichever is applicable, the privilege of inspection, including access to facilities, staff and those records required in Section 5 of this act, at reasonable times during regular business hours, to insure compliance with the provisions of this act.

**Section 12. License required.**—After July 1, 1975, the operation of a child care facility without a license is prohibited. The department or the local licensing agency is empowered to seek an injunction in the circuit court where the facility is located against the continuing operation of a child care facility for the following reasons:

(1) When there is any violation of the standards applied under this act which threatens harm to any child in the child care facility.

(2) When a licensee has repeatedly violated the standards provided for under this act.

(3) If a child care program continues to have children in attendance after the closing date established by the department or the local licensing agency.

#### Section 13. Family Day Care Homes.—

(1) Family day care homes may be licensed under this act if they are presently being licensed under an existing county licensing ordinance or if the board of county commissioners passes a resolution that family day care homes be licensed. If not subject to license, family day care homes may report annually to the department the following information: the name and address of the home, the name of the operator, the number of children served, and the availability of emergency care.

(2) This information shall be included in a directory to be published annually by the department to inform the public of available child care facilities.

(3) Family day care home operators may avail themselves of supportive services offered by the department.

**Section 14. Supportive services.**—The department shall provide consultation services, technical assistance and in-service training when requested and as available to operators, licensees, and applicants to help improve programs and facilities for child care, and shall work cooperatively with other organizations and agencies concerned with child care.

#### Section 15. Funding.—

(1) If the county designates a local agency to be responsible for the licensing of child care centers, the county shall bear the costs involved.

(2) The state will bear the costs of the licensing of child care centers when contracted to do so by a county or when directly responsible for licensing in a county which fails to meet or exceed state minimum standards.

**Section 16. Exemptions.**—The provisions of this act shall not apply to day care facilities or to day care programs which are an integral part of a church; or church, parochial, private, or public schools conducting regularly scheduled classes, courses of study or educational programs accredited by an organization which publishes and requires compliance with its own standards for health, safety, and sanitation, including but not limited to those schools accredited by or members of the Florida Association of Christian Schools, the Florida Catholic Conference, the Florida Council of Independent Schools, the Southern Association of Schools and Colleges and the State Department of Education. Provided, however, this exemption may only be granted by a local licensing agency now in existence or hereafter created.

**Section 17.** This act shall take effect July 1, 1974; provided, however, the enforcement of standards pursuant to the promulgation of rules and regulations under this act shall not take effect until July 1, 1975.

**Senate Amendment C to House Amendment 1**—On page 11, strike all of lines 26 and 27 and insert the following: any local licensing agency may require all day care facilities and day care programs within its jurisdiction to be licensed, the other provisions of this section notwithstanding.

**House Amendment to Senate Amendment C to House Amendment 1**—Strike the period and insert: and provided further that the provisions of this section shall not affect any counties or cities with state or local child care licensing programs in existence on the effective date of this act.

**Senate Amendment D to House Amendment to Senate Amendment C to House Amendment 1**—Following the period insert: Those desiring to be included in this act will be authorized to do so by submitting notification to the Department. Once licensed, the center cannot withdraw from the act and continue to operate.

**Senate Amendment F to House amendment to Senate amendment C to House amendment 1**—Following the period insert:

new section 17 Local acts: Nothing herein shall have the effect of repealing local laws and ordinances in force upon the effective date of this act. (and renumber)

On motions by Senator Myers the Senate refused to recede from Senate Amendments d and f to Senate Amendment c to House Amendment 1 to SB 277 and acceded to the request for a conference committee.

#### Conference Committee Conferees on SB 277

The President announced the appointment of Senators Myers, Gordon and Sims as conferees on the part of the Senate on SB 277.

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has refused to concur in Senate Amendments 1, 2, 3, & 4 to HB 1145 and requests the Senate to recede.

By Representatives Sessums and Conway—

**HB 1145**—A bill to be entitled An act relating to education; amending subsections 229.57(3) and 229.57(4), Florida Statutes, 1971, to limit application of educational accountability program to the subject areas of reading, writing, and mathematics until implementation of this act has been completed in those specific subject areas; providing an effective date.

*Allen Morris, Clerk*

**Amendment 1**—On page 2, line 6, insert: after "objectives." *Such system shall include procedures for assuring comparability between student performance information collected and reported by this system and national indicators of student performance.*

**Amendment 2**—On page 2, strike lines 24—30 and insert: (4) Implementation.—This section shall apply to the subject area of reading by the 1971-72 school year and the subject areas of writing and mathematics by the 1972-73 school year. No other subject area shall be tested until assessment in the subject areas of reading, writing and mathematics has been implemented. Such implementation shall include the testing of all third and sixth graders in the state by the 1974-75 school year and of all third through sixth grade students by the 1975-76 school year in the basic areas of reading, writing and mathematics. An interpretation of such tests in each school shall be reported in the annual report of school progress.

**Amendment 3**—On page 1 in the title, line 6, after "1971," insert: to provide procedures to assure compatibility between state assessment and national assessment;

**Amendment 4**—On page 1 in the title, line 11, after "areas;" insert: to provide that all students will be tested in the third through the sixth grade by 1975-76;

On motions by Senator Graham the Senate refused to recede from Senate Amendments 1, 2, 3 and 4 to HB 1145 and again requested the House to concur and in the event the House refused to concur a conference committee was requested to adjust the differences. The action of the Senate was certified to the House.

On motion by Senator Firestone, the Senate reconsidered the vote by which—

**SB 721**—A bill to be entitled An act relating to solar energy, creating a solar energy center, authorizing research, dissemination of information, and providing demonstrations, providing an appropriation, providing an effective date.

—as amended passed on May 27.

Senator Firestone moved the following title amendment which was adopted:

**Amendment 2**—On page 1, line 7, strike " , providing an appropriation"

SB 721 as further amended passed and was ordered engrossed. The vote was:

Yeas—37

Brantley	Henderson	Plante	Vogt
Childers	Johnson	Poston	Ware
Deeb	Johnston	Saunders	Weber
de la Parte	Lane (31st)	Saylor	Williams
Firestone	Lane (23rd)	Scarborough	Wilson
Gallen	Lewis	Sims	Winn
Gillespie	McClain	Smathers	Zinkil
Glisson	Myers	Stolzenburg	
Gordon	Peterson	Sykes	
Gruber	Pettigrew	Trask	

Nays—None

By unanimous consent Senator Graham was recorded as voting yea.

#### SPECIAL ORDER

**HB 2922**—A bill to be entitled An act relating to driving while under the influence; amending §316.028, Florida Statutes, 1973, to provide penalties for driving with an unlawful blood alcohol level; adding a new paragraph (b) to §322.261(1), Florida Statutes, 1973, and redesignating subsequent paragraphs accordingly, to provide for prearrest breath test; amending §322.262(2), Florida Statutes, 1973, to provide for unlawful driving with certain blood alcohol percentages, prohibiting trial judge accepting lesser plea if blood alcohol level exceeds certain level; to correct the reference to the measure of weight of alcohol in the blood; amending §322.264(1)(b), Florida Statutes, 1973, to include unlawful blood alcohol level in the definition of habitual traffic offender; amending §322.28(2), Florida Statutes, 1973, to include unlawful blood alcohol level, to change time period for computing subsequent conviction penalties, to change the period within which a bail bond may be vacated; creating §322.281 and §322.282, Florida Statutes, to provide for mandatory adjudication and the procedures when a license is reinstated and restricted; providing an effective date.

—was read the second time by title.

Senator Poston moved the following amendment:

**Amendment 1**—Strike everything after the enacting clause and insert: Section 1. Chapter 318, Florida Statutes, is created to read:

**318.11** Short title.—This act may be known and cited as the "Florida uniform disposition of traffic infractions act".

**318.12** Purpose.—It is the legislative intent in the adoption of this act to decriminalize certain violations of chapter 316, the Florida uniform traffic control law; chapter 325, part II, safety equipment inspection of motor vehicles; chapter 339, Florida highway code, sixth part; chapter 239, universities; and chapter 340, turnpike projects; thereby facilitating the implementation of a more uniform and expeditious system for the disposition of traffic infractions.

**318.13** Definitions.—The following words and phrases, when used in this chapter shall for the purpose of this chapter, have the meanings respectively ascribed to them in this section, except where the context otherwise requires:

(1) **DEPARTMENT**.—Any reference herein to department shall be construed as referring to the department of highway safety and motor vehicles, defined in section 20.24, or the appropriate division thereof.

(2) **SUSPENSION**.—A licensee's privilege to drive a motor vehicle is temporarily withdrawn.

(3) **INFRACTION**.—A noncriminal violation which is not punishable by incarceration for which there is no right to trial by jury or a right to court appointed counsel.

(4) **OFFICIAL**.—Any state or municipal judge authorized by law to preside over a court or hearing adjudicating traffic infractions.

(5) **OFFICER**.—Any law enforcement officer charged with and acting under his authority to arrest persons suspected or known to be violating statutes or ordinances regulating the operation or equipment of vehicles, or the regulation of traffic.

### 318.14 Noncriminal traffic infractions; exception; procedures.—

(1) Except as provided in section 318.17, any person cited for a violation of chapter 316 or chapter 325, part II, or section 339.30 or section 340.23 or section 239.55 shall be deemed to be charged with a noncriminal infraction and shall be cited for such an infraction and cited to appear before an official.

(2) Any person cited for an infraction under this section may post a bond which shall be equal in amount to the applicable civil penalty established in section 318.8 or sign and accept a citation indicating a promise to appear. The officer may indicate on the traffic citation the time and location of the scheduled hearing, and shall indicate the applicable civil penalty established in section 318.18.

(3) Any person who willfully refuses to post a bond or accept and sign a summons shall be guilty of a misdemeanor of the second degree.

(4) Any person charged with a noncriminal infraction under this section may pay the civil penalty within ten days of the date of receiving the citation either by mail or in person, or if he has posted bond, he may forfeit bond by not appearing at the designated time and location. If the person cited follows either of the above procedures, he shall be deemed to have admitted the infraction and to have waived his right to a hearing on the issue of commission of the infraction. Such admission shall not be used as evidence in any other proceedings.

(5) Any person electing to appear before the designated official or who is required to so appear shall be deemed to have waived his right to the civil penalty provisions of section 318.18. The official after a hearing shall make a determination as to whether an infraction has been committed. If the commission of an infraction has been proven, the official may impose a civil penalty not to exceed \$500 or require attendance at a driver improvement school or both.

(6) The official having jurisdiction over the infraction shall certify to the department within ten days after payment of the civil penalty or forfeiture of bond that the defendant has admitted to the infraction. If the charge results in a hearing, the official having jurisdiction shall certify to the department the final disposition within ten days of the hearing.

(7) When the report of a determination or admission of an infraction is received by the department, the department shall proceed to enter the proper number of points on the licensee's driving record in accordance with section 322.27, Florida Statutes.

318.15 Failure to comply with the civil penalty; to appear; to post bond; penalty.—If a person fails to post bond and fails to appear at the hearing without having paid the civil penalty, or attend driver improvement school if imposed, or fails to pay the civil penalty imposed, his driver's license and privilege shall be deemed suspended. Said suspension shall be effective on the date the person fails to appear at the hearing as set forth above or fails to comply with the civil penalty imposed.

### 318.16 Appeals; stay orders; procedures.—

(1) If a person is found to have committed an infraction by the hearing official, he may appeal that finding to the circuit court. An appeal under this subsection shall not operate to stay the reporting requirements of section 318.14(7) nor to stay appropriate action by the department upon receipt of that report.

(2) The circuit court upon application by the appellant may:

(a) Order a stay of any action by the department during pendency of the appeal, but not to exceed a period of sixty days. A copy of the order shall be forwarded to the department.

(b) Deny the application.

318.17 Offenses excepted.—No provisions of this chapter shall be available to persons charged with the following offenses;

(a) Fleeing or attempting to elude a police officer in violation of section 316.019, Florida Statutes.

(b) Leaving the scene of an accident in violation of section 316.027 and 316.061, Florida Statutes.

(c) Driving or being in actual physical control of any vehicle while under the influence of alcoholic beverages, model glue, or any substance controlled under chapter 893, in violation of section 316.028 or section 860.01, Florida Statutes.

(d) Reckless driving in violation of section 316.029, Florida Statutes.

(e) Making false accident reports in violation of section 316.067.

318.18 Amount of civil penalties.—The penalties required for a noncriminal disposition pursuant to section 318.14(1), (2) and (4) shall be as follows:

(1) Five dollars for all infractions of bicycle regulations, section 316.11, and infractions of pedestrian regulations, section 316.057.

(2) Fifteen dollars for all non-moving traffic violations.

(3) Twenty-five dollars for all moving violations not requiring a mandatory appearance.

(4) The penalty imposed under section 316.200 shall be determined by the officer in accordance with the provisions of sections 316.99 and 316.200.

318.19 Infractions requiring a mandatory hearing.—Any person cited for the infractions listed in this section shall not have the provisions of section 318.14(2) and (4) available to him and must appear before the designated official at the time and location of the scheduled hearing.

(1) Any infraction which results in an accident that caused the death or personal injury of another or property damage in excess of two hundred fifty dollars.

(2) Any infraction which would if the person is convicted result in the suspension or revocation of his driver's license or privilege under sections 322.26 and 322.27.

(3) Speeding in excess of 25 miles per hour over the lawful speed limit.

318.20 Notification; duties of department.—The department shall prepare a notification form to be appended to or incorporated as a part of the Florida uniform traffic citation issued in accordance with section 316.018. The notification form shall contain language informing persons charged with infractions to which this chapter applies of the procedures available to them under this chapter. Such notification shall contain a schedule of points to be assessed against a person's driving record in accordance with section 322.27, Florida Statutes, and a schedule of civil penalties applicable to infractions under this chapter, in accordance with section 318.18.

Section 2. Section 316.026, Florida Statutes, is amended to read:

*(Substantial rewording of section. See section 316.026, Florida Statutes, 1971, for present text.)*

### 316.026. Penalties.—

(1) A violation of any of the provisions of this chapter except criminal offenses enumerated in subsection (4) of this section shall be deemed to be infractions as defined in section 318.13(3).

(2) Infractions of this chapter which do not result in a hearing shall be subject to the civil penalties provided in section 318.18.

(3) Infractions of this chapter which do result in a hearing shall be subject to a civil penalty not to exceed five hundred dollars. For an infraction resulting in a hearing a person may be required to attend a driver improvement school in lieu of or in addition to the civil penalty imposed.

(4) Any person convicted of a violation of sections 316.019, 316.027, 316.028, 316.029, 316.061 and 316.067, Florida Statutes, shall be punished as specifically provided in such sections.

Section 3. Section 316.061, Florida Statutes, is amended to read:

### 316.061 Accidents involving damage to vehicle or property.—

The driver of any vehicle involved in an accident resulting only in damage to a vehicle or other property which is driven



or attended by any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible, and shall forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of section 316.062. Every stop shall be made without obstructing traffic more than is necessary. Any person failing to stop or comply with said requirements shall, upon conviction, be punished ~~as provided in section 316.026, by a fine of not more than five hundred dollars or by imprisonment for not more than sixty days or by both such fine and imprisonment.~~

Section 4. Section 316.067, Florida Statutes, is amended to read:

#### 316.067 False reports.—

Any person who gives information in oral or written reports as required in this chapter knowing or having reason to believe that such information is false shall be punished ~~as provided in section 316.026, by a fine of not more than five hundred dollars or by imprisonment for not more than sixty days or both such fine and imprisonment.~~

Section 5. Section 316.112, Florida Statutes, is amended to read:

#### 316.112 Penalties for violation of bicycle regulations.—

Any person not a juvenile, as such is defined by the laws of this state, found guilty of a violation of any provisions found in section 316.111 shall be punished by a ~~fine of not more than \$25 civil penalty in accordance with section 318.18 or by impounding of such person's bicycle for a period not to exceed 90 days. Upon the recommendation of a judge of a juvenile court or a competent court having jurisdiction over the person of a minor, the state, county, or municipal authority may impound such minor's bicycle for such period as the court may determine.~~

Section 6. Section 316.164, Florida Statutes, is amended to read:

#### 316.164 Parking near rural mailbox during certain hours; penalties.—

Whoever parks any vehicle within thirty feet of any rural mailbox upon any state highway in this state between 8 a.m. and 2 p.m. shall be punished ~~by a fine not exceeding \$30 or by imprisonment not exceeding thirty days, as provided in section 316.026.~~

Section 7. Subsection (3) of section 339.30, Florida Statutes, is amended to read:

#### 339.30 Unlawful use of limited access facilities; penalties.—

(3) Any person who violates any of the provisions of this section is ~~guilty of a misdemeanor of the second degree, punishable as provided in sections 775.082 or 775.083, shall be punished in accordance with section 316.026.~~

Section 8. Subsection (1) of section 340.23, Florida Statutes, is amended to read:

#### 340.23 Traffic control.—

(1) The department is hereby authorized to adopt and promulgate rules and regulations with respect to the use of a project, which rules and regulations shall relate to vehicular speeds, loads and sizes, safety devices, rules of the road and such other matters, including but not limited to the failure or refusal to pay the toll provided for the use of a project, as may be necessary and proper to regulate traffic in the interest of safety, the maximum convenience of the persons using the project, preservation of a project from unwarranted damage and to carry out the purpose of this chapter. Such rules and regulations, shall apply according to their terms to all sections of a project under the jurisdiction of the department, their feeder roads and structures and other appurtenances. Insofar as such rules and regulations may be inconsistent with the provisions of the vehicle and traffic laws of this state, such rules and regulations shall be controlling. Violation of such rules and regulations shall ~~constitute a misdemeanor of the second degree, punishable as provided in sections 775.082 or 775.083, be punished in accordance with section 316.026.~~ Such rules and regulations shall not take effect until published in a newspaper of general circulation published in Dade County, and such other publications as the department may determine, and duly filed in the department of state.

Section 9. Section 239.55, Florida Statutes, is amended to read:

#### 239.55 Violations penalties.—

Any person who violates any of said rules or regulations or applicable municipal ordinances, or who fails or refuses to obey the direction or order of any law enforcement officer directing or regulating traffic on the grounds of an institution of higher learning, shall be ~~guilty of a misdemeanor and, upon conviction, be punished by the same fines and penalties as may be provided and limited by the charter of the adjacent municipality for punishment of offenses against its laws and ordinances, punished in accordance with section 316.026.~~

Section 10. Section 322.281, Florida Statutes, is created to read:

*322.281 Mandatory adjudication.—Notwithstanding the provisions of Section 948.01, no court shall withhold adjudication of guilt or imposition of sentence for the offense of driving or being in actual physical control of a motor vehicle while under the influence of alcoholic beverages, model glue, or any substance controlled by chapter 893.*

Section 11. This act shall take effect January 1, 1975.

Senator McClain moved the following amendment to Amendment 1 which was adopted:

**Amendment 1a**—On pages 9—10, lines 31—33, on page 9 and lines 1—5 on page 10 strike all of Section 10 on lines 31—33 on page 9 and lines 1—5 page 10

Amendment 1 as amended was adopted.

Senator Poston moved the following title amendment which was adopted:

**Amendment 2**—On page 1, strike all of lines 4 through 27 and insert: An act relating to the adjudication of traffic infractions; creating chapter 318, Florida Statutes, to be known as the "Florida uniform disposition of traffic infractions act"; providing definitions; providing for decriminalization of certain traffic violations; establishing procedures for adjudication of traffic infractions; establishing standard statewide civil penalties for infractions; providing for mandatory hearings for certain infractions; establishing notification duties of the department; amending section 316.026, 316.061, 316.067, 316.112, 316.164, 339.30, 340.23 and 239.55, Florida Statutes; providing for penalty provisions consistent with this act; creating 322.-281, Florida Statutes, to provide for mandatory adjudication in cases of driving under the influence of alcoholic beverages, model glue, or other controlled substances; providing an effective date.

On motion by Senator Poston, by two-thirds vote HB 2922 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Brantley	Gruber	Peterson	Sykes
Childers	Henderson	Pettigrew	Trask
Deeb	Johnson	Plante	Vogt
de la Parte	Johnston	Poston	Ware
Gallen	Lane (31st)	Saylor	Weber
Gillespie	Lane (23rd)	Scarborough	Williams
Glisson	Lewis	Sims	Wilson
Gordon	McClain	Smathers	Winn
Graham	Myers	Stolzenburg	

Nays—None

SB 353 was taken up and on motion by Senator Brantley—

**HB 2609**—A bill to be entitled An Act relating to mutual trust investment companies; amending chapter 660, Florida Statutes, by adding thereto new sections to be designated as sections 660.15 to 660.23, Florida Statutes; providing for the formation and operation of mutual trust investment companies under the supervision of the Department of Banking and Finance and providing for investment by corporate fiduciaries in shares of such companies; specifying the method for incorporating; providing corporate powers; specifying the powers of the Department of Banking and Finance with respect to said



companies; specifying exemptions from certain statutes of this state; providing a severability clause; and providing an effective date.

—a companion measure was substituted therefor. On motions by Senator Brantley, by two-thirds vote HB 2609 was read the second time by title and by two-thirds vote was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Brantley	Graham	Myers	Sykes
Childers	Gruber	Peterson	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Saunders	Ware
Firestone	Johnston	Saylor	Weber
Gallen	Lane (31st)	Scarborough	Wilson
Gillespie	Lane (23rd)	Sims	Winn
Glisson	Lewis	Smathers	Zinkil
Gordon	McClain	Stolzenburg	

Nays—None

SB 353 was laid on the table.

SB 1020 was taken up, together with:

By the Committee on Health and Rehabilitative Services—

CS for SB 1020—A bill to be entitled An act relating to milk and milk products; amending section 502.171, Florida Statutes, 1971; deleting reference to enforcement by local health officials; amending section 502.211, Florida Statutes, 1971; providing for uniform statewide regulation; creating section 502.232, Florida Statutes; providing for superseding of all municipal or county laws; providing an effective date.

—which was read the first time by title and SB 1020 was laid on the table.

On motion by Senator Lane (23rd), by two-thirds vote CS for SB 1020 was read the second time by title.

Senators Myers and Lane (23rd) offered the following amendment which was adopted on motion by Senator Lane (23rd):

**Amendment 1**—On page 3, between lines 2 and 3, insert: (2) The secretary of health and rehabilitative services shall designate members of his department who shall be certified by the U. S. Public Health Service—Food and Drug Administration as state milk sanitation officers, who shall conduct routine sanitation compliance survey ratings of milk producers and milk plants. These ratings shall be made in accordance with recommendation of the U. S. Department of Health, Education and Welfare, Public Health Service Food and Drug Administration "Methods of making sanitation ratings of milk sheds."

And renumber subsequent sections.

Senator Williams moved the following amendment:

**Amendment 2**—On pages 1 and 2, strike everything after the enacting clause and insert:

Section 1. It is the intent of the legislature to eliminate to the extent practicable, overlapping and duplicative inspections performed by the several agencies of state government of dairy farms and milk plants as defined in subsections (42) and (43) of section 502.012, Florida Statutes, respectively. In furtherance of this goal, primary responsibility and jurisdiction for all of the on-site inspections to be made of dairy farms required by chapter 502, Florida Statutes, shall be made by the department of agriculture and consumer services, provided, however, that the division of health of the department of health and rehabilitative services shall cooperate with and advise the department of agriculture and consumer services in all matters relating to preservation of public health.

Section 2. Subsection (1) of section 502.211 is amended to read:

502.211 Declaration of policy and cooperation between the department and the division of health.—In order to more effectively utilize the agencies of the state in the public interest and without unnecessary duplication and expense, the relationship between the production, processing and distribution of milk and milk products, and the public health is recognized. It is therefore hereby declared to be the public policy of the state that:

(1) The duty of administration and enforcement of all regulatory legislation now enacted applying to the production, processing and distribution of milk and milk products, shall be performed by the department, except necessary laboratory work which the division of health of the department of health and rehabilitative services is equipped to handle and except as otherwise provided in this law; and further provided that the primary jurisdiction, powers, functions and duties relating to on-site inspections of milk plants and receiving stations where such receiving stations are operated in conjunction with a milk plant are transferred by a type four (4) transfer to the department of health and rehabilitative services and assigned to the division of health.

Section 3. The division of statutory revision of the joint legislative management committee shall, in editing manuscript for the official Florida Statutes, make such amendments in chapter 502, Florida Statutes, as are needed and are consistent with the intent of this act.

Section 4. This act shall take effect July 1, 1974.

Amendment 2 was adopted by the following vote:

Yeas—18

Mr. President	de la Parte	Pettigrew	Wilson
Barron	Gillespie	Saylor	Winn
Brantley	Johnston	Smathers	Zinkil
Childers	Lane (31st)	Vogt	
Deeb	Myers	Williams	

Nays—13

Gallen	Johnson	Peterson	Trask
Glisson	Lane (23rd)	Sims	
Graham	Lewis	Stolzenburg	
Gruber	McClain	Sykes	

Senator Williams moved the following amendment which was adopted:

**Amendment 3**—In title, strike all of lines 3—12 and insert: A bill to be entitled, An act relating to inspection of dairy farms and milk plants; assigning primary jurisdiction and responsibility; amending subsection (1) of section 502.211, Florida Statutes; transferring certain duties, powers and functions by a type four (4) transfer to the division of health of the department of health and rehabilitative services; directing conforming editorial changes be made; providing an effective date.

On motion by Senator Lane (23rd), by two-thirds vote CS for SB 1020 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—35

Mr. President	Glisson	Lewis	Stolzenburg
Barron	Gordon	McClain	Sykes
Brantley	Graham	Myers	Trask
Childers	Gruber	Peterson	Vogt
Deeb	Henderson	Pettigrew	Williams
de la Parte	Johnson	Poston	Winn
Firestone	Johnston	Saylor	Zinkil
Gallen	Lane (31st)	Sims	
Gillespie	Lane (23rd)	Smathers	

Nays—None

By unanimous consent Senator Weber was recorded as voting yea.

SB 529—A bill to be entitled An act relating to the fire fighters bargaining act; amending §§447.21(2), 447.22(1), 447.23, 447.24, 447.25, 447.26, 447.29(2), 447.30, and 447.32(2), Florida Statutes; redefining "fire fighter"; providing that special districts be included in the provisions of the fire fighters bargaining act; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendment which was moved by Senator Sykes and adopted:

**Amendment 1**—On page 2, line 9, strike "system." and insert: system; however, the term "fire fighter" does not include managerial employees.

The Committee on Judiciary offered the following amendment which was moved by Senator Sykes:

**Amendment 2**—On page 2, line 10, insert: (2) "Managerial employees" are those employees generally having authority in the interest of the public employer and who (a) formulate policy or (b) who may reasonably be required on behalf of the public employer to assist directly in the preparation for the conduct of collective negotiations or to have a major role in the administration or in employee relations provided that said roles are not of a routine or clerical nature and require the exercise of independent judgment.

Senator Sykes moved the following substitute amendment for Amendment 2 which was adopted:

**Amendment 3**—On page 2, line 10, insert: (2) "Managerial employees" are those employees generally having authority in the interest of the public employer who (a) formulate policy which is applicable throughout the bargaining unit, or (b) may reasonably be required on behalf of the public employer to assist directly in the preparation for and conduct of collective bargaining negotiations or to have a major role in the administration of agreements resulting therefrom, or (c) have a significant role in personnel administration or in employee relations, and in the preparation and administration of budgets for any public agency or institution or subdivision thereof, provided, that said roles are not of a routine, clerical or ministerial nature and require the exercise of independent judgment.

The Committee on Judiciary offered the following amendment which was moved by Senator Sykes and adopted:

**Amendment 4**—On page 5, strike line 20 and insert: Section 7. This act shall take effect upon becoming law.

On motion by Senator Sykes, by two-thirds vote SB 529 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—33

Mr. President	Glisson	Lewis	Vogt
Barron	Gordon	McClain	Ware
Brantley	Graham	Pettigrew	Williams
Childers	Gruber	Poston	Wilson
Deeb	Henderson	Sayler	Winn
de la Parte	Johnson	Sims	Zinkil
Firestone	Johnston	Smathers	
Gallen	Lane (31st)	Sykes	
Gillespie	Lane (23rd)	Trask	

Nays—None

By unanimous consent Senator Peterson was recorded as voting yea.

On motion by Senator Sykes, the Senate reconsidered the vote by which SB 529 as amended passed.

On motion by Senator Sykes—

**HB 3368**—A bill to be entitled An act relating to the fire fighters bargaining act; amending §§447.21(2), 447.22(1), 447.23, 447.24, 447.25, 447.26, 447.29(2), 447.30, and 447.32(2), Florida Statutes; redefining "fire fighter"; providing that special districts be included in the provisions of the fire fighters bargaining act; providing an effective date.

—a companion measure to SB 529 as amended was substituted therefor and read the second time by title. On motion by Senator Sykes, by two-thirds vote HB 3368 was read the third time by title, passed and certified to the House. The vote was:

Yeas—26

Mr. President	Graham	McClain	Vogt
Brantley	Gruber	Pettigrew	Ware
Childers	Henderson	Poston	Wilson
Deeb	Johnson	Sims	Winn
de la Parte	Johnston	Smathers	Zinkil
Firestone	Lane (23rd)	Sykes	
Gallen	Lewis	Trask	

Nays—1

Lane (31st)

By unanimous consent Senators Weber and Peterson were recorded as voting yea.

SB 529 was laid on the table.

**HB 3573**—A bill to be entitled An act relating to additional days for charitable purposes for summer thoroughbred horse tracks; creating subsection (6) of §550.41, Florida Statutes, authorizing the board of business regulation to grant one additional day of racing for summer thoroughbred tracks in addition to those days presently allowed under law; providing that the proceeds from the additional charity day shall be allocated and paid to Florida State University for the use and benefit of the Florida State University department of intercollegiate athletics; providing an effective date.

—was read the second time by title. On motion by Senator Brantley, by two-thirds vote HB 3573 was read the third time by title, passed and certified to the House. The vote was:

Yeas—30

Mr. President	Gillespie	Lewis	Trask
Barron	Graham	McClain	Vogt
Brantley	Gruber	Pettigrew	Ware
Childers	Henderson	Poston	Wilson
Deeb	Johnson	Sims	Winn
de la Parte	Johnston	Smathers	Zinkil
Firestone	Lane (31st)	Stolzenburg	
Gallen	Lane (23rd)	Sykes	

Nays—None

By unanimous consent Senators Peterson, Weber and Glisson were recorded as voting yea.

SB 734 was laid on the table.

**HB 312 (cs)**—A bill to be entitled An act relating to workmen's compensation; amending subsection (6) of section 440.02, Florida Statutes; including in the definition of "injury" damage to dentures, eyeglasses, prosthetic devices and artificial limbs; providing an effective date.

—was read the second time by title. On motion by Senator Scarborough, by two-thirds vote HB 312 (cs) was read the third time by title, passed and certified to the House. The vote was:

Yeas—29

Brantley	Graham	McClain	Vogt
Childers	Gruber	Pettigrew	Williams
de la Parte	Henderson	Poston	Wilson
Firestone	Johnson	Scarborough	Winn
Gallen	Johnston	Sims	Zinkil
Gillespie	Lane (31st)	Smathers	
Glisson	Lane (23rd)	Sykes	
Gordon	Lewis	Trask	

Nays—None

By unanimous consent Senators Weber, Sayler and Peterson were recorded as voting yea.

**HB 580**—A bill to be entitled An act relating to public school system personnel; amending §231.29(2)(a), Florida Statutes, 1972 Supplement, to provide that each individual on annual contract status in any school district in the state shall have his performance assessed at least once a year, while those on continuing contract shall be assessed in depth at least once every three (3) years; providing an effective date.

—was taken up pending roll call.

Senator Graham moved the following amendment which was adopted by two-thirds vote:

**Amendment 4**—On page 1, line 29, strike all of subsection (a) and insert: (a) Assessment for each individual shall be made at least once a year. Such assessment of instructional personnel shall include the following:

(1) An annual written notice of assigned duties to members of the instructional staff by the principal or his designee. In evaluating the competencies and performance of a member

of the instructional staff, primary assessment shall be in terms of his performance of the assigned duties and responsibilities.

(2) The principal or his designee shall observe each member of the instructional staff in the classroom in the performance of his duties at least once during the school year. The principal or his designee shall meet and review the evaluation with the individual teacher evaluated who shall acknowledge such evaluation with his signature and any written comments he desires before it is placed in his record. The purpose of such meeting shall be to discuss ways in which the teacher may improve his teaching abilities.

(3) Criteria for evaluation where appropriate shall include:

(a) The degree to which instruction meets the individual needs of each student and the objectives of the subject areas for which the teacher is responsible.

(b) The degree to which the teacher has remained current in his field of instruction.

(c) The degree to which the teacher uses teaching methods appropriate to the course and the needs of students.

(d) The degree to which a teacher is able to create an atmosphere which stimulates the desire to learn in students and encourages each student to excel to the extent of his abilities.

(e) The adherence of the teacher to accepted standards of professional behavior in meeting his responsibilities to his students.

(4) The principal shall report to the superintendent and school board on the aggregate results of the evaluation of instructional personnel. Such report shall include but not be limited to an analysis of areas in which additional academic degrees, course-work, inservice training, or experience in or out of school have contributed to the development of teaching skills. The report shall also include recommendations on ways in which instruction and the evaluation process can be improved for the next year. A summary of the report shall be included in the annual report of school progress.

Section 2. Paragraphs (d) and (e) of subsection (2) of section 231.29, Florida Statutes, are repealed.

Section 3. This act shall take effect on July 1, 1974.

Senators Graham and Gordon offered the following title amendments which were moved by Senator Graham and adopted:

**Amendment 5**—On page 1, strike all of lines 7—13 and insert: specified criteria shall be used for the evaluation of instructional personnel; providing for a report and recommendations; repealing paragraphs (d) and (e) of subsection (2) of section 231.29, Florida Statutes; providing an effective date.

**Amendment 6**—On page 1, lines 6 and 18, strike "1972 Supplement"

Senator Deeb moved the following amendment which failed:

**Amendment 7**—On page 2, lines 2—4, insert the following: once a year. *The contract of each individual on continuing contract status shall terminate at the end of three years and a new continuing contract shall be considered under the same procedure, rules and regulations as if it were being considered for the first time.*

HB 580 as further amended was read by title, passed and was certified to the House. The vote was:

Yeas—34

Barron	Gordon	McClain	Trask
Brantley	Graham	Peterson	Vogt
Childers	Gruber	Pettigrew	Ware
Deeb	Henderson	Poston	Weber
de la Parte	Johnson	Scarborough	Williams
Firestone	Johnston	Sims	Winn
Gallen	Lane (31st)	Smathers	Zinkil
Gillespie	Lane (23rd)	Stolzenburg	
Glisson	Lewis	Sykes	

Nays—None

By unanimous consent Senator Sayler was recorded as voting yea.

**HB 2099**—A bill to be entitled An act relating to insurance; amending section 627.572(2), Florida Statutes, 1972 Supplement; authorizing health questions to be asked participants in group life insurance; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendment which was moved by Senator Brantley and adopted:

**Amendment 1**—On page 1, line 17, strike " , occupation, business, or charitable, educational or public service activity" and insert: , members of which are licensed to engage in such professions in the State of Florida and which has been in existence for at least 10 years, and

Senator Gordon moved the following amendment:

**Amendment 2**—On page 2, between lines 8 and 9, insert:

Section 2. Any accident and sickness policy, medical service plan, or other contract providing for payment for procedures specified in the policy or contract which are within the scope of a psychologist's professional license, under chapter 490, shall be construed to include payment to such licensed psychologist who performs such procedures.

and re-number

Senator Gallen raised a point of order, stating that the amendment by Senator Gordon was not germane.

The Presiding Officer referred the point of order to the chairman of the Committee on Rules and Calendar.

Senator Barron advised the chair that in his opinion the amendment was not germane because the bill relates to Chapter 627.572(2) and the amendment relates to Chapter 490.

The Presiding Officer ruled the point well taken and the amendment out of order.

On motion by Senator Brantley, by two-thirds vote HB 2099 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Barron	Gordon	McClain	Stolzenburg
Brantley	Graham	Peterson	Sykes
Childers	Gruber	Pettigrew	Trask
Deeb	Henderson	Plante	Vogt
de la Parte	Johnson	Poston	Williams
Firestone	Johnston	Sayler	Wilson
Gallen	Lane (31st)	Scarborough	Winn
Gillespie	Lane (23rd)	Sims	Zinkil
Glisson	Lewis	Smathers	

Nays—None

**HB 1911**—A bill to be entitled An act relating to jurisdiction in landlord and tenant cases; amending §26.012, (2) (g), Florida Statutes (1972), to remove jurisdiction in landlord and tenant possession cases from the circuit court; amending §34.011, Florida Statutes, to vest jurisdiction in landlord and tenant possession cases exclusively in the county court; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendments which were moved by Senator Gillespie and adopted:

**Amendment 1**—On page 1, line 28, strike "shall have exclusive jurisdiction" and insert: or circuit courts may exercise jurisdiction

**Amendment 2**—On page 1, lines 6—11, strike everything after the comma and insert: to vest jurisdiction in landlord and tenant

possession cases in the county or circuit court; amending §34-011, Florida Statutes, to vest jurisdiction in landlord and tenant possession cases in the county or circuit court; providing an effective date.

On motion by Senator Gillespie, by two-thirds vote HB 1911 as amended was read the third time by title, passed and certified to the House. The vote was:

## Yeas—31

Barron	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Poston	Ware
de la Parte	Johnson	Sayler	Williams
Firestone	Johnston	Sims	Wilson
Gallen	Lane (23rd)	Smathers	Winn
Gillespie	Lewis	Stolzenburg	Zinkil
Gordon	McClain	Sykes	

## Nays—None

By unanimous consent Senators Lane (31st) and Glisson were recorded as voting yea.

On motion by Senator Pettigrew, the Senate reconsidered the vote by which—

**HB 1538 (cs)**—A bill to be entitled An act relating to arrest records; providing certain procedures for expunging records if person is acquitted or released without being adjudicated guilty; providing for retention of nonpublic records by department of law enforcement; providing restoration of status; providing exceptions; providing an effective date.

—as amended passed on May 27.

Senator Pettigrew moved the following amendment which was adopted:

**Amendment 4**—On page 1, strike all of title and insert: A bill to be entitled An act relating to arrest records; providing certain procedures for expunging records if person is arrested and released without formal charges; providing for retention of nonpublic records for use by law enforcement courts and other agencies; providing restoration of status; providing exceptions; providing an effective date.

On motion by Senator Pettigrew, HB 1538 (cs) as further amended was read by title, passed and certified to the House. The vote was:

## Yeas—33

Barron	Graham	Peterson	Trask
Childers	Gruber	Pettigrew	Vogt
Brantley	Henderson	Poston	Williams
Deeb	Johnson	Sayler	Wilson
de la Parte	Johnston	Scarborough	Winn
Firestone	Lane (31st)	Sims	Zinkil
Gallen	Lane (23rd)	Smathers	
Gillespie	Lewis	Stolzenburg	
Gordon	McClain	Sykes	

## Nays—None

On motion by Senator Scarborough, the rules were waived and the Senate reverted to—

## MESSAGES FROM THE HOUSE OF REPRESENTATIVES

*The Honorable Mallory E. Horne, President* May 27, 1974

I am directed to inform the Senate that the House of Representatives has amended Senate Amendments 4 and 5, concurred in same as amended and passed CS for CS for HB 1739 (cs), as further amended,

By the Committee on Elections and the Committee on Community Affairs and Representative Crabtree and others—

**CS for CS for HB 1739 (cs)**—A bill to be entitled An act relating to municipal and charter county government recall;

authorizing and providing procedures for the recall of any member of the governing body of a municipality or charter county by the municipal or charter county electors; providing penalties; providing an effective date.

—and requests the concurrence of the Senate.

*Allen Morris, Clerk*

**Senate Amendment 4**—On page 1, line 10, strike everything after the enacting clause and insert: Section 1. LENGTH OF TERM OF OFFICE.—Notwithstanding any special or general law to the contrary, term of office for any municipal or consolidated government elected official shall consist only of those terms of office in which the elected official has served seventy-five percent (75%), or more, of the full term for said office and shall not include any time included in an appointed status or while acting or serving an interim position in said office.

Section 2. This act shall take effect upon becoming a law.

**House Amendment 1 to Senate Amendment 4**—On page 1, lines 1—10, strike all of said lines and insert the following:

Section 1. Municipal recall.—

(1) **RECALL PETITION**.—Any member of the governing body of the municipality which has at least 500 registered electors, or charter county, hereinafter referred to as municipality, may be removed from office by the electors of the municipality by the following procedure:

(a) A petition must be prepared naming the person sought to be recalled, and containing a "statement of grounds for recall" in not more than two hundred (200) words, which petition shall contain at a minimum the signatures of the lesser of two hundred fifty (250) electors or one percent (1%) of the electors of the municipality, hereinafter called the "committee," who make the charges contained in the statement of grounds for recall. Those municipalities whose number of registered electors is between 500 and 2,000, the minimum of signatures on the petition shall be twenty percent (20%) of the electors of the municipality. A specific person shall be designated therein as chairman of the committee to act for the committee. Only qualified electors of the municipality are eligible to sign the petition. Signatures and affidavits of circulators shall be executed as provided in subsection (c) of this section. All signatures must be obtained within a period of thirty (30) days, and the petition must be filed within thirty (30) days after the date of the earliest signature upon the petition.

(b) The grounds for removal of municipal elected officials shall, for the purposes of this act, include the following: malfeasance, misfeasance, neglect of duty, drunkenness, incompetence, permanent inability to perform his official duties, or the commission of a felony.

(c) Each elector of the municipality signing a petition shall sign his name as registered in the office of the supervisor of elections in ink or indelible pencil and shall state his place of residence and voting precinct. Each counterpart of the petition shall contain appropriate lines for signature by electors and a form of affidavit to be executed by the circulator thereof, verifying the fact that the circulator saw each person sign the counterpart of the petition, that each signature appearing thereon is the genuine signature of the person it purports to be, and that the petition was signed in the presence of the circulator on the date indicated.

(d) The petition shall be filed with the city auditor or clerk, or their equivalent, by the person designated as chairman of the committee, and when filed the city auditor or clerk, or their equivalent, shall submit such petition to the county supervisor of elections who shall within a period of not more than thirty (30) days determine if the petition contains the required valid signatures. The supervisor shall be paid by the persons and/or committee seeking verification, the sum of ten cents for each name checked.

(e) If it is determined that the petition does not contain the required signatures, the city auditor or clerk, or their equivalent, shall so certify to the governing body and file the petition without taking further action and the matter shall be at an end. No additional names may be added to the petition and the petition cannot be used in any other proceeding.

(f) If it is determined that the petition has the required signatures, then the city auditor or clerk, or their equivalent, shall at once serve upon the person sought to be recalled a certified copy of the petition. Within five (5) days after service the person sought to be recalled may file with the city auditor or clerk, or their equivalent, a defensive statement of not more than two hundred (200) words. The city auditor or clerk, or their equivalent, shall within five (5) days prepare a sufficient number of typewritten, printed, or mimeographed counterparts of the recall petition, and "statement of grounds for recall" and defensive statements thereto, as well as the names and affidavits upon the original petition, and shall deliver them to the person who has been designated as chairman of the committee and take his receipt therefor. The prepared counterpart shall be entitled "Recall Petition and Defense" and shall contain lines and spaces for signatures of registered electors, place of residence, election precinct number and date of signing, together with affidavits to be executed by the circulators which conform to the provisions of subsection (c) of this section. The city auditor or clerk, or their equivalent, shall deliver forms sufficient to carry the signatures of thirty percent (30%) of the registered electors.

(g) Upon receipt of the counterparts the committee may circulate them to obtain the signatures of fifteen percent (15%) of the electors. Any elector who signs a recall petition shall have the right to demand in writing that his name be stricken from the petition. A written demand signed by the elector shall be filed with the city auditor or clerk, or their equivalent, and upon receipt the city auditor or clerk, or their equivalent, shall strike the name of the elector from the petition and place his initials to the side of the signature stricken. No signature may be stricken after the city auditor or clerk, or their equivalent, has certified the total of electors to the governing body.

(h) Within sixty (60) days after delivery of the counterparts to the chairman, the chairman shall file with the city auditor or clerk, or their equivalent, the counterparts that bear signatures of electors. The city auditor or clerk, or their equivalent, shall assemble all signed counterparts, check to see that each counterpart is properly verified by the affidavit of the circulator, and shall submit such petitions to the county supervisor of elections who shall ascertain the number of different signatures upon the counterparts, purge the names withdrawn, and certify, within thirty (30) days, whether fifteen percent (15%) of the qualified electors of the municipality have signed the petitions and report his findings to the governing body. The supervisor shall be paid by the persons and/or committee seeking verification, the sum of ten cents for each name checked.

(i) If the petitions do not contain the required signatures, the city auditor or clerk, or their equivalent, shall report such fact to the governing body and file the petitions and the proceedings shall be terminated, and the petitions cannot again be used. If the signatures do amount to fifteen percent (15%) of the qualified electors, he shall serve notice of that fact upon the person sought to be recalled and deliver to the governing body a certificate as to the percentage of qualified voters who signed.

(2) **RECALL ELECTION.**—If the person designated in the petition files with the city auditor or clerk, or their equivalent, within five (5) days after the last mentioned notice his written resignation, the city auditor or clerk, or their equivalent, shall at once notify the governing body of that fact and the resignation shall be irrevocable, and the governing body shall proceed to fill the vacancy according to the provisions of the appropriate law. In the absence of a resignation the governing body shall fix a day for holding a recall election for the removal of those not resigning. Any such election shall be held not less than thirty (30) days nor more than sixty (60) days after the expiration of the period of five (5) days last mentioned, and at the same time as any other general or special election held within the period; but if no such election shall be held within that period the governing body shall call a special recall election to be held within the period aforesaid.

(3) **BALLOTS.**—The ballots at the recall election shall conform to the following requirements: With respect to each person whose removal is sought, the question shall be submitted: "Shall (name of person) be removed from the office of \_\_\_\_\_ by recall?" Immediately following each question there shall be printed on the ballots the two (2) propositions in the order here set forth:

"For the recall of (name of person)."

"Against the recall of (name of person)."

Immediately to the right of each of the propositions shall be placed a square on which the electors, by making a cross mark (X) may vote either of the propositions. Voting machines may be used.

(4) **FILLING OF VACANCIES.**—If in any election a majority of the votes cast on the question of removal of any member of the governing body of a municipality is affirmative, the member whose removal is sought shall be deemed removed from office upon the announcement of the official canvass of that election and the vacancy caused by the recall shall be filled by the governing body according to the provisions of the appropriate law. If, however, an election is held for the recall of more than one (1) member, candidates to succeed them for the unexpired terms shall be voted upon at the same election, and shall be nominated in the same manner as provided by the appropriate law for the nomination of candidates at general elections. Any individual who is the subject of a recall election shall be prohibited from seeking reelection, or election to any office, at the same time as the election on the question of removal is being held.

(5) **LENGTH OF TERM OF OFFICE.**—Notwithstanding any special or general law to the contrary, term of office for any elected official shall consist only of those terms of office in which the elected official has served seventy-five percent (75%), or more, of the full term for said office and shall not include any time included in an appointed status or while acting or serving an interim position in said office.

(6) **COUNTING THE VOTE.**—Candidates shall not be nominated to succeed any particular member; but if only one (1) member is removed the candidate receiving the highest number of votes shall be declared elected to fill the vacancy; and if more than one (1) member is removed candidates equal in number to the number of members removed shall be declared elected to fill the vacancies; and among the successful candidates those receiving the greatest number of votes shall be declared elected for the longest terms. Cases of ties, and all other matters not herein specially provided for, shall be determined by the rules governing elections generally.

(7) **EFFECT OF RESIGNATIONS.**—No proceedings for the recall of all of the members of the governing body at the same election shall be defeated in whole or in part by the resignation of any or all of them, but upon the resignation of any of them, the governing body shall have power to fill the vacancy or vacancies until successors are elected, and the proceedings for the recall and election of successors shall continue and have the same effect as though there had been no resignation.

(8) **WHEN PETITION MAY BE FILED.**—Except as otherwise provided, no petition to recall any member of the governing body of a municipality shall be filed within one (1) year after he takes office. No person removed by a recall or resigning after petition has been filed against him shall be eligible to be appointed to the governing body within a period of two (2) years after the date of such recall or resignation. The city auditor or clerk, or their equivalent, shall preserve in his office all papers, comprising or connected with a petition for recall for a period of two (2) years after they were filed. This method of removing members of the governing body of a municipality is in addition to such other methods now or hereafter provided by the general laws of this state.

(9) **OFFENSES RELATING TO PETITIONS.**—No person shall impersonate another, or purposely write his name or residence falsely, in the signing of any petition for recall, or forge any name thereto, or sign any paper with knowledge that he is not a qualified elector of the municipality. No expenditures for campaigning for or against an officer being recalled shall be made until the date on which the recall election is to be held is publicly announced. The committee and the officer being recalled shall be subject to chapter 106, F.S. No person shall employ or pay another to accept employment or payment for circulating a recall petition. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor of the second degree and shall, upon conviction, be punished as provided by law.

(10) It is the intent of the Legislature that the recall procedures provided in this act shall be uniform statewide. There-

fore, all municipal charter and special law provisions which are contrary to the provisions of this act are hereby repealed to the extent of this conflict.

Section 2. The provisions of this act shall apply to cities and charter counties which have adopted recall provisions.

Section 3. This act shall take effect upon becoming a law.

Senate Amendment 5—On page 1, lines 4—8, strike

An act relating to municipal government recall; authorizing and providing procedures for the recall of any member of the governing body of a municipality by the municipal electors; providing penalties; providing an effective date.

and insert:

An act relating to municipal government length of term of office; providing an effective date.

House Amendment to Senate Amendment 5—On page 1 in the title, lines 2—3, strike all of said lines and insert: An act relating to municipal and charter county government recall; authorizing and providing procedures for the recall of any member of the governing body of a municipality or charter county by the municipal or charter county electors; providing penalties; providing an effective date.

Senator Scarborough moved the following amendment to House Amendment 1 to Senate Amendment 4 which was adopted:

Amendment 4a—On page 6, strike all of lines 21 through 24 and insert: general elections.

On motions by Senator Scarborough, the Senate concurred in House amendment 1 to Senate Amendment 4 as amended and in the House amendment to Senate Amendment 5 to CS for CS for HB 1739 (cs).

CS for CS for HB 1739 (cs) passed as further amended and was certified to the House. The vote was:

Yeas—38

Barron	Graham	Peterson	Trask
Brantley	Gruber	Pettigrew	Vogt
Childers	Henderson	Plante	Ware
Deeb	Johnson	Poston	Weber
de la Parte	Johnston	Sayler	Williams
Firestone	Lane (31st)	Scarborough	Wilson
Gallen	Lane (23rd)	Sims	Winn
Gillespie	Lewis	Smathers	Zinkil
Glisson	McClain	Stolzenburg	
Gordon	Myers	Sykes	

Nays—None

The Senate resumed Special Order.

SB 403—A bill to be entitled An act relating to professional engineers; amending section 471.21, Florida Statutes, requiring that the applicant be a graduate from an approved course in engineering or engineering related sciences; providing an exception; removing the time limitation on an engineer-in-training certification; providing an effective date.

—was read the second time by title.

The Committee on Commerce offered the following amendments which were moved by Senator Lewis and adopted:

Amendment 1—On page 1, strike lines 22 and 23 and insert:  
(a) Is more than twenty-four years of age;

(a)(b) Is of good character and reputation, and

(b)(c) Is a graduate from an approved course in engineer-

Amendment 2—On page 1, line 5, after "Florida Statutes," insert: deleting minimum age requirements;

On motion by Senator Lewis, by two-thirds vote SB 403 as amended was read the third time by title and failed to pass. The vote was:

Yeas—13

Brantley	Gordon	Poston	Wilson
Gallen	Lewis	Smathers	
Gillespie	McClain	Trask	
Glisson	Peterson	Vogt	

Nays—22

Barron	Gruber	Plante	Weber
Childers	Henderson	Sayler	Williams
Deeb	Johnson	Scarborough	Winn
de la Parte	Johnston	Sims	Zinkil
Firestone	Lane (23rd)	Stolzenburg	
Graham	Myers	Sykes	

The President Pro Tempore presented Congressman and Mrs. Claude Pepper to the Senate. Congressman Pepper addressed the Senate.

On motion by Senator Barron, Rule 2.5 was waived and the Committee on Rules and Calendar was granted permission to consider CS for HB 1543 and CS for HB's 1542 and 1370 this day.

On motion by Senator Ware, the House was requested to return HB 3020.

On motion by Senator Myers, the House was requested to return HB 4000.

SB 519 was taken up and on motion by Senator Brantley—

CS for HB 3169—A bill to be entitled An act relating to alcoholic beverage licenses; amending subsection (2)(a) of §561.20, Florida Statutes, providing that food sales in restaurants need not be simultaneous with alcoholic beverage sales, further providing that certain special licenses issued prior to chapter 57-773, Laws of Florida, shall not include package sales as part of a gross income factor; creating paragraph (c) of subsection (2) of §561.20, Florida Statutes, providing for the issuance of a special license to bona fide bowling alleys; amending subsection (7) of §561.20, Florida Statutes, providing for the issuance of special club licenses to bona fide tennis clubs; providing an effective date.

—a companion measure was substituted therefor and read the second time by title. On motion by Senator Brantley, by two-thirds vote CS for HB 3169 was read the third time by title, passed and certified to the House. The vote was:

Yeas—25

Barron	Glisson	Myers	Sykes
Brantley	Graham	Pettigrew	Vogt
Deeb	Gruber	Plante	Wilson
de la Parte	Johnson	Poston	Winn
Firestone	Lane (23rd)	Scarborough	
Gallen	Lewis	Sims	
Gillespie	McClain	Smathers	

Nays—5

Childers	Stolzenburg	Trask	Zinkil
Johnston			

By unanimous consent Senator Peterson was recorded as voting nay; Senator Glisson changed his vote from yea to nay.

CS for CS for HB 3096—A bill to be entitled An act relating to workmen's compensation; amending §440.02(1)(c), (2), (13), (15) and (16), Florida Statutes, 1973, relating to definitions; extending coverage to certain agricultural employees and personnel associated with athletic events; providing that the words "child," "grandchild," "brother," and "sister" include certain persons up to twenty-two (22) years of age; adding a subsection (3) to §440.04, Florida Statutes, 1973, allowing an officer of a corporation who has elected exemption from the workmen's compensation act to revoke such exemption; amending §440.05, Florida Statutes, 1973, requiring corporate officers electing an exemption or revoking an exemption from the chapter to give notice to the division of labor of the depart-



ment of commerce; creating §440.075, Florida Statutes, providing for application of common law in suits involving exempt corporate officers; amending §440.09(1) and (2), Florida Statutes, 1973, relating to the payment of workmen's compensation for accidents which occur elsewhere than in this state; providing that compensation will not be paid when the employee is already covered by certain federal compensation acts; amending §440.10(1), Florida Statutes, 1973, providing that a subcontractor is not responsible for payment of compensation to employees of another subcontractor; providing that the liability provisions of §440.11, Florida Statutes, do not protect a subcontractor other than the employer of an injured employee; amending §440.12(2) and (3), Florida Statutes, 1973, providing a formula for relating maximum compensation rate to a state average weekly wage; amending present subsection (3) and adding a new subsection (3) to §440.14, Florida Statutes, 1973, providing alternative method of computation of compensation for seasonal workers; amending §440.15(1) and (2), Florida Statutes, 1973, increasing compensation for certain employees; providing additional temporary total disability compensation for certain serious injuries; amending §440.151(1)(a) and (2), Florida Statutes, 1973, expanding the type of diseases covered by the act; amending §440.16(2), Florida Statutes, 1973, increasing dollar limit on compensation for a death; reducing compensation to surviving spouse without children; providing coverage for surviving children where surviving spouse dies or remarries; increasing compensation to children when there is no widow or widower; adding subsection (5) to §440.18, Florida Statutes, 1973, requiring certain employers to give notification to their insurance carriers in case of accident; providing a civil penalty; amending §440.20(5), Florida Statutes, 1973, providing that the ten percent penalty for late payments may be assessed against the insurer or employer; amending §440.24(4), Florida Statutes, 1973, permitting judges of industrial claims to dismiss certain claims or payments for non-compliance; amending §440.25(3)(a), Florida Statutes, 1973, permitting employers to require reasonable medical examinations of employees; providing for free copies of certain medical reports to an employee or his attorney; adding subsection (3) to §440.29, Florida Statutes, 1973, providing rules or procedure for judges of industrial claims and the industrial relations commission; amending §440.30, Florida Statutes, 1973, providing for deposition of parties and payment of fees; amending §440.39(3)(a), Florida Statutes, 1973, providing for recovery for the employer and the insurance carrier from a judgment obtained by an employee against a third party in certain cases; amending §440.44(8), Florida Statutes, 1973, relating to the designation of an advisory council to aid the division; amending §440.45(1), (2) and (3), Florida Statutes, 1973, removing restriction on the number of judges of industrial claims and providing at least one (1) judge for each judicial circuit in the state; providing for review of judges by the judicial nominating commission; providing for a report of a vacancy to the division; increasing the salary of each full-time industrial claims judge; amending §440.49(4)(b), (c), (d), (e), (f), and (g), Florida Statutes, 1973, defining "permanent physical impairment," "merger," and "excess permanent compensation"; providing for reimbursement from the special disability trust fund in permanent disability cases; providing for reimbursement in death cases; providing for reimbursement of certain temporary disability compensation and medical benefits; requiring a minimum reimbursement of three thousand dollars (\$3,000) and employer's prior knowledge of the employee's preexisting physical condition; providing for apportionment credit; establishing a procedure for filing and determining a claim for reimbursement; amending §440.50(1)(a), Florida Statutes, 1973, providing for payments under §440.15(1)(e), Florida Statutes, from the workmen's compensation administration trust fund; amending §440.51(1)(b), Florida Statutes, 1973, allowing insurance companies to elect to make payments under §440.15(1)(e), Florida Statutes; repealing §440.151(6), Florida Statutes, 1973, relating to disability from certain dust diseases; providing an effective date.

—was read the second time by title.

The Committee on Judiciary offered the following amendments which were moved by Senator Scarborough and adopted:

**Amendment 1**—On page 5, line 24, strike "*Services*" and insert: *Services*

**Amendment 2**—On page 6, lines 19 and 20, strike on line 20 "to some extent" and on line 19 following the word "spouse" insert: *substantially*

**Amendment 3**—On page 8, line 22, strike "*this state,*" and insert: *this state,*

**Amendment 4**—On page 18, lines 20 and 21, strike "*or parties*" and insert: *or parties*

**Amendment 5**—On page 22, lines 4—17, beginning with the word "Prior" on line 4 underline all language through the "period" on line 17.

**Amendment 6**—On page 22, strike lines 18—21

**Amendment 7**—On page 4, line 13, following the ; insert: *providing a severability clause;*

Senator McClain moved the following amendment:

**Amendment 8**—On page 6, line 22 strike "to some extent" after the word "or" insert: *substantially*

On motion by Senator Brantley, the Senate reconsidered the vote by which—

**CS for HB 3169**—A bill to be entitled An act relating to alcoholic beverage licenses; amending subsection (2)(a) of §561.20, Florida Statutes, providing that food sales in restaurants need not be simultaneous with alcoholic beverage sales, further providing that certain special licenses issued prior to chapter 57-773, Laws of Florida, shall not include package sales as part of a gross income factor; creating paragraph (c) of subsection (2) of §561.20, Florida Statutes, providing for the issuance of a special license to bona fide bowling alleys; amending subsection (7) of §561.20, Florida Statutes, providing for the issuance of special club licenses to bona fide tennis clubs; providing an effective date.

—passed this day.

Senator Brantley moved the following amendment:

**Amendment 1**—On page 2, line 9, strike "thirty (30)" and insert: *fifty one (51)*

By unanimous consent Senator Graham was recorded as voting yea on CS for HB's 2131 and 2132, House Bills 3561, 3920, 3281, 3353, 729, 3955, 2886, 3258, 2622, 3487, 3488 and 544 and Senate Bills 962 and 393; Senator Lewis was recorded as voting nay on HB 3428, which passed the Senate on May 27.

The Journal of May 27 was corrected and approved.

The hour of adjournment having arrived, a point of order was called and the Senate recessed at 12:03 p.m. to reconvene at 2:00 p.m.

Before the hour of reconvening, the afternoon session was cancelled by the President because of a bomb threat in the capitol center.